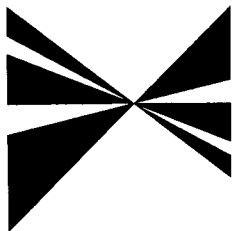


SOUTHERN CALIFORNIA



**ASSOCIATION of
GOVERNMENTS**

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Flickinger, Moreno Valley • Ron Loveridge,
Riverside • Greg Pettis, Cathedral City • Ron
Roberts, Temecula

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Terrace • Tim Jasper, Town of Apple Valley • Larry
McCallon, Highland • Deborah Robertson,
Rialto • Alan Wapner, Ontario

Ventura County: Judy Mikels, Ventura County •
Glen Becerra, Simi Valley • Carl Morehouse, San
Buenaventura • Toni Young, Port Hueneme

Orange County Transportation Authority: Lou
Correa, County of Orange

Riverside County Transportation Commission:
Robin Lowe, Hemet

Ventura County Transportation Commission:
Keith Millhouse, Moorpark

No. 465 MEETING OF THE

REGIONAL COUNCIL

Thursday, July 7, 2005
12:30 p.m. – 2:00 p.m.

SCAG Offices

818 W. 7th Street, 12th Floor
San Bernardino Conference Room
Los Angeles, California 90017
213.236.1800

Agendas and Minutes for the
Regional Council are also available at
www.scag.ca.gov/committees/rc.htm

If members of the public wish to review the attachments
or have any questions on any of the agenda items,
please contact Shelia Stewart at 213.236.1868 or
stewart@scag.ca.gov.

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REGIONAL COUNCIL

AGENDA

PAGE #

TIME

“Any item listed on the agenda (action or information) may be acted upon at the discretion of the committee”

1.0 **CALL TO ORDER & PLEDGE OF ALLEGIANCE** Councilmember Young, President

2.0 **INSPIRATIONAL MESSAGE**

3.0 **PUBLIC COMMENT PERIOD** – Members of the public desiring to speak on items on the agenda, or items not on the agenda, but within the purview of the Council, must fill out and present a speaker’s card to the Executive Assistant prior to speaking. A speaker’s card must be turned in before the meeting is called to order. Comments will be limited to three minutes. The President may limit the total time for all comments to twenty minutes.

4.0 **CONSENT CALENDAR**

4.1 **Approval Items**

4.1.1 Minutes of June 2, 2005
Attachment 01

4.1.2 Further Activities Commemorating
SCAG’s 40th Anniversary **Attachment** 09

4.1.3 Draft DBE Goal and Methodology for
Federal Fiscal Year 2005-2006 **Attachment** 10

4.1.4 Co-sponsorship of UCLA’s Extension
Public Policy Program 2005 Arrowhead
Symposium **Attachment** 16

4.1.5 Sponsorship of Clean Cities Alternative
Fuels Conference, scheduled for
July 21, 2005 **Attachment** 19

RC Agenda – July 7, 05
DOCS# 111267 - Stewart

REGIONAL COUNCIL

AGENDA

	PAGE #	TIME
4.2 <u>Receive & File</u>		
4.2.1 <u>Contracts & Purchase Orders \$5,000 - \$250,000 Attachment</u>	21	
• Sapphire Technologies \$225,000		
• Pace Navigator \$ 11,329		
• Xerox Corporation \$ 5,000		
• General Networks Corp. \$ 1,500		
4.2.2 <u>State and Federal Legislative Matrix Attachment</u>	24	
4.2.3 <u>Monthly Financial Report Attachment</u>	38	
5.0 <u>PRESIDENT'S REPORT</u>		
5.1 <u>Announcements of Chairs & Vice Chairs</u>		
5.2 <u>Appointments</u>		
5.3 <u>Cancellation of August Meeting Attachment</u>	42	
Recommended Action: Authorize the Executive Committee to convene in August and to act, if necessary on any Contract or legislative matters and forward to the RC for ratification in September.		
6.0 <u>EXECUTIVE DIRECTOR'S REPORT</u>		
6.1 <u>Update on Proposition 42</u>		Mike Madrid Director, Public Affairs, League of California Cities

REGIONAL COUNCIL

AGENDA

	PAGE #	TIME
7.0 ACTION ITEMS		
7.1 Administration Committee Report		
7.1.1 <u>WRCOG Request for Reimbursement of Indirect Cost Attachment</u>	45	
Recommended Action: Deny WRCOG's request for reimbursement.		
7.1.2 <u>Shanghai Maglev Trip Attachment</u>	51	
Recommended Action: Maglev Task Force recommends a delegation to Shanghai, China and Nagoya, Japan for educational, and exploratory experience on Maglev systems.		
7.1.3 <u>MOU between SCAG and the Reservation Transportation Authority for Environmental Justice Attachment</u>	53	
Recommended Action: Approve		
7.2 Transportation & Communication Committee (TCC) Report		Chair
7.3 Community, Economic & Housing Development Committee (CEHD)		Chair
7.3.1 <u>2% Strategy Implementation Through California Environmental Quality Act (CEQA) Streamlining Attachment</u>	54	
Recommended Action: Proceed to Implement recommendation in Compass Program.		

REGIONAL COUNCIL

AGENDA

	PAGE #	TIME
7.4 <u>Energy & Environment Committee</u> Chair <u>(EEC) Report</u>		
7.4.1 <u>Policy Guidance for Implementation</u> <u>of the 2005 California Water Plan</u> Attachment	59	
Recommended Action: Adopt Resolution #05-456-1 supporting the Draft 2005 California Water Plan.		
8.0 <u>INFORMATION ITEMS</u>		
8.1 <u>Personnel Committee</u>		
8.1.1 <u>Merit Pay Program Status Report</u> Attachment	63	
8.1.2 <u>Classification/Compensation Plan</u> <u>Status Report</u> Attachment	66	
9.0 <u>FUTURE AGENDA ITEMS</u>		
Any committee members desiring to place items on a future agenda may make such request. Comments should be limited to three minutes.		
10.0 <u>LEGAL COUNSEL REPORT</u>		
<i>A closed session will be held only if necessary to report significant developments or to take required actions.</i>		
10.1 <u>Closed Session</u>		
• Ratification of Executive Committee Report on Performance Evaluation of the Executive Director pursuant to Government Code section 54957(2).		

RC Agenda – July 7, 05
DOCS# 111267 - Stewart

REGIONAL COUNCIL

AGENDA

PAGE #

TIME

Closed Session –Cont’d

- Reconsideration of Prior Board of Control
Decision on; Statues 1980, Chpt. 1143
Claim No. 3929 Before the Commission on
State Mandates (Regional Housing Needs Determination
Cost Reimbursement – Council of Governments)
Conference with Legal Counsel pursuant to
Government Code section §54956.9 Pending
Litigation (one potential case)
- Morrison v. SCAG
Morrison v. Southern California
Association of Governments et al. Superior Court,
Los Angeles County, Case No. BC 312066
Conference with Legal Counsel re: pending litigation
pursuant to Government Code section §54956.9(a).
- Havens v. SCAG
Havens v. Southern California Association of Governments,
Los Angeles County, Case No. BC 324931
Conference with Legal Counsel re: pending litigation
Pursuant to Government Code section §54956.9(a)

10.2 Executive Committee Report

10.2.1 Recommendation on Compensation Adjustment for Executive Director

Recommended Action: Approve
recommendation.

11.0 ANNOUNCEMENTS

The E Region (NARC) Newsletter was emailed to all members. The League of California Cities will hold its monthly meeting tonight. Contact Councilmember Washburn for more info.

12.0 ADJOURNMENT

RC Agenda – July 7, 05
DOCS# 111267 - Stewart

v

NO. 465

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

June 2, 2005

Minutes

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE REGIONAL COUNCIL. AUDIO CASSETTE TAPE OF THE ACTUAL MEETING IS AVAILABLE FOR LISTENING IN SCAG'S OFFICE.

The Regional Council of the Southern California Association of Governments held its meeting at the Pierpont Inn, in Ventura, California. The meeting was called to order by the President Toni Young, Councilmember, City of Port Hueneme. There was a quorum.

Members Present

Councilmember Toni Young, Port Hueneme, President	District 45
Supervisor Yvonne Burke, 1 st Vice President, Los Angeles County	
Supervisor Gary Ovitt, 2 nd Vice President, San Bernardino County	
Supervisor Judy Mikels, Ventura County	
Mayor Pro Tem Ron Roberts, Temecula, Immediate Past President	District 5
Councilmember Jon Edney, El Centro	District 1
Councilmember Bonnie Flickinger, Moreno Valley	District 3
Councilmember Lee Ann Garcia, Grand Terrace	District 6
Mayor Larry McCallon, Highland	District 7
Councilmember Deborah Robertson, Rialto	District 8
Councilmember Paul Eaton, Montclair	District 9
Councilmember Alan Wapner, Ontario	District 10
Councilmember Richard Dixon, Lake Forest	District 13
Councilmember Tod Ridgeway, Newport Beach	District 14
Councilmember Gene Daniels, Paramount	District 24
Councilmember Tonia Reyes-Uranga, Long Beach	District 30
Councilmember Margaret Clark, Rosemead	District 32
Councilmember Keith Hanks, Azusa	District 33
Councilmember Harry Baldwin, San Gabriel	District 35
Councilmember Paul Nowatka, Torrance	District 39
Councilmember Jim Aldinger, Manhattan Beach	District 40
Councilmember Dennis Washburn, Calabasas	District 44
Councilmember Glen Becerra, Simi Valley	District 46
Councilmember Thomas Buckley, Lake Elsinore	District 63
Councilmember Debbie Cook, Huntington Beach	District 64
Councilmember Keith Millhouse, Moorpark	VCTC

Members Not Present

Supervisor Jeff Stone, Riverside County
Supervisor Victor Carillo, Imperial County :
Supervisor Zev Yaroslavsky, LA County

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Members Not Present – Cont'd

Supervisor Chris Norby, Orange County	District 2
Councilmember Greg Pettis, Cathedral City	District 4
Mayor Ron Loveridge, Riverside	District 11
Mayor Lawrence Dale, Barstow	District 12
Councilmember Cathryn De Young, Laguna Niguel	District 17
Councilmember Lou Bone, Tustin	District 18
Councilmember Christine Barnes, La Palma	District 19
Councilmember Richard Chavez, Anaheim	District 20
Councilmember Marilyn Poe, Los Alamitos	District 21
Councilmember Art Brown, Buena Park	District 22
Mayor John Beauman, Brea	District 23
Councilmember Paul Bowlen, Cerritos	District 26
Councilmember Isadore Hall, Compton	District 27
Councilmember Frank Gurule, Cudahy	District 28
Councilmember Judy Dunlap, Inglewood	District 29
Councilmember Rae Gabelich, Long Beach	District 34
Councilmember Paul Talbot, Alhambra	District 36
Councilmember Sid Tyler, Pasadena	District 37
Councilmember Tom Sykes, Walnut	District 38
Councilmember Paula Lantz, Pomona	District 41
Councilmember Pam O'Connor, Santa Monica	District 42
Councilmember Bob Yousefian, Glendale	District 47
Councilmember Carl Morehouse, San Buenaventura	District 43
Councilmember Mike Dispenza, Palmdale	District 48
Councilmember Ed Reyes, Los Angeles	District 49
Councilmember Wendy Greuel, Los Angeles	District 50
Councilmember Dennis Zine, Los Angeles	District 51
Councilmember Tom LaBonge, Los Angeles	District 52
Councilmember Jack Weiss, Los Angeles	District 53
Councilmember Tony Cardenas, Los Angeles	District 54
Councilmember Alex Padilla, Los Angeles	District 55
Councilmember Bernard Parks, Los Angeles	District 56
Councilmember Jan Perry, Los Angeles	District 57
Councilmember Martin Ludlow, Los Angeles	District 58
Councilmember Cindy Miscikowski, Los Angeles	District 59
Councilmember Greig Smith, Los Angeles	District 60
Councilmember Eric Garcetti, Los Angeles	District 61
Councilmember Antonio Villariagosa, Los Angeles	District 62
Councilmember Janice Hahn, Los Angeles	District 65
Councilmember Tim Jasper, Apple Valley	At-Large
Mayor James Hahn, Los Angeles	RCTC
Councilmember Robin Lowe, Hemet	OCTA
Supervisor Lou Correa, Orange County	

Staff Present

Mark Pisano, Executive Director
Jim Gosnell, Deputy Executive Director
Heather Copp, Chief Financial Officer

000002

Colin Lennard, General Counsel
Karen Tachiki, Chief Counsel
Hasan Ikhata, Director, Planning & Policy
Keith Killough, Director, Information Services
Shelia Stewart, Executive Assistant

1.0 CALL TO ORDER & PLEDGE OF ALLEGIANCE

2.0 INSPIRATIONAL MOMENT

President Young requested a moment of silence.

3.0 PUBLIC COMMENT PERIOD

There were no comments presented at this time.

4.0 CONSENT CALENDAR

The following consent calendar items were MOVED (Mikels), SECONDED (Cook) and UNANIMOUSLY APPROVED.

4.1 Approval Items

4.1.1 Minutes of May 5, 2005

4.1.2 Contracts/Procurement over \$250,000

- Aerial Information Systems
- Dell Inc.

4.1.3 Fulbright & Jaworski Contract

4.2 Receive & File

4.2.1 Contracts & Purchase Orders \$5,000 - \$250,000

- Citigroup Technologies
- SBC
- Avaya Financial Services
- Quality Laser Cartridge

4.2.2 Monthly Financial Report

4.2.3 State and Federal Legislative Matrix

4.2.4 Summary of Policy Committee Actions taken May 5, 2005

5.0 PRESIDENT'S REPORT

5.1 Appointments

RC District Election Results

Hon. Jon Edney, El Centro, District 1 (**Newly Elected**)

Hon. Frank Gurule, Cudahy, District 27 (Re-elected)

RC Members to Policy Committees

Hon. Chris Barnes, La Palma to TCC

Subregional Representatives to Policy Committees To TCC

Representing WRCOG

Hon. Shenna Moqet, Calimesa

Goods Movement Task Force

John Flicker, NITL

Peter Greenwald, AWMD

Jennifer Jaroski, Safe Highways

Peter Peyton, ILWU

Tribal Government Relations Task Force

(Created today by Administration Committee)

Hon. Yvonne Burke, Los Angeles County

Hon. Lawrence Dale, Barstow

Hon. Richard Dixon, Lake Forest

Hon. Tim Jasper, Town of Apple Valley

Hon. Gary Ovitt, San Bernardino County

Hon. Greg Pettis, Cathedral City

Hon. Ron Roberts, Temecula

Hon. Deborah Robertson, Rialto

Compass Partnership

Hon. Pam O'Connor, Santa Monica

Hon. Tod Ridgeway, Newport Beach

Mr. Greg McWilliams, Lennard Home Builders

Mr. Chris Martin, LA Chamber

5.2 Closed Session

5.2.1 Ratification of Executive Committee Report on Performance Evaluation of the Executive Director pursuant to Government Code section §54957(2).

President Young announced that the Executive Committee met briefly, however it was decided to continue discussion at the July meeting.

6.0 EXECUTIVE DIRECTOR'S REPORT

Mark Pisano announced that the Rose Institute Academy for Civic Engagement (a leadership development institute) requested for SCAG to be a part of their faculty. The Institute also invited Regional Council as well as subregional members to participate at their upcoming conference held in June. He noted that SCAG could sponsor 3-4 board members.

Mr. Pisano stated that he and Heather Copp, CFO, attended a California Foundation on the Environment and the Economy Roundtable Conference on Transportation Infrastructure. The session was attended by 10 legislators-5 Senators, and 5 Assembly members. The focus of the meeting was innovative financing for transportation, design build and public private partnerships.

Mr. Pisano also reported on the second Executive Stakeholder Roundtable meeting on goods movement co-sponsored by SCAG and the CTCs. The group discussed performance measures designed to support development of public-private partnerships on goods movement projects. Staff will continue to develop a template for moving forward with a group of rail and highway projects totaling approximately \$4.2 billion, including environmental mitigation and financing strategies.

7.0 ACTION ITEMS

7.1 Administration Committee Report

7.1.1 WRCOG Request for Reimbursement of Indirect Cost

Tabled until the July meeting at the request of WRCOG.

7.1.2 Recommendation to Resolve Account Receivables (ARs) and Funding Adjustments

Heather Copp, CFO, stated that SCAG has incurred costs in several grants, principally during the period of FY 99-00 through FY 02-03, that have not been collected for various reasons. All efforts to collect these funds have now been exhausted and we have now determined that they must be written off. The Regional Council budgeted funds for this specific purpose at the April 7, 2005 meeting.

Ms. Copp also reported that over the last 18 months staff has been engaged in various activities to appeal or seek relief from Grantors for these ARs. It appears that SCAG is able to collect in two cases, two special projects undertaken in FY 01 through an MTA program.

In addition there were three instances of un-reimbursable expenses this fiscal year. Corrective actions have been instituted to eliminate re-occurrences.

Councilmember Dixon, Chair, stated that the Administration Committee recommended that the CFO be authorized to take appropriate action to write-off certain ARs and make appropriate funding adjustments.

It was MOVED (Dixon), SECONDED (Washburn) and UNANIMOUSLY APPROVED.

7.1.3 Merit Pay PERS-ability for Lump Sum Payments

It was MOVED (Dixon), SECONDED (Washburn) and UNANIMOUSLY APPROVED.

7.1.4 Retiree Medical Contribution Vesting

SCAG currently has no minimum service requirement towards eligibility for its \$550 monthly contribution towards retiree CalPERS medical benefits. CalPERS require that the retiree be vested in CalPERS and retire from SCAG within 180 days of separation. CalPERS also require that the contribution towards retiree medical be the same level as that for active employees. CalPERS allow the employer to set a minimum number of services years with the employer or vesting period.

The Administration Committee recommended approving the establishment of a vesting requirement for SCAG's contribution to CalPERS retiree medical benefits to active employees (grandfather employees under existing requirements of vesting in CalPERS) and prospective employees (ten years of full-time CalPERS covered SCAG service).

It was MOVED (Dixon), SECONDED (Mikels) and UNANIMOUSLY APPROVED.

7.1.5 Salary Range Adjustments

It was MOVED (Dixon), SECONDED (Washburn/Mikels) and UNANIMOUSLY APPROVED.

7.1.6 Tribal Governments

It was MOVED (Dixon), SECONDED (Robertson) to approve the work program and task force to facilitate formal agreement with the Tribal Governments as well as waive reading and approve Resolution 05-464-1.

7.2 Transportation & Communication Committee (TCC) Report

The TCC did not meet. There was no report.

7.3 **Community, Economic & Housing Development Committee (CEHD)**

7.3.1 **Housing & Transportation Legislation SB 832, SB 575 & SB 521 & SB 44**

Councilmember Robertson, Chair stated that the CEHD did not meet, however action was taken at their May meeting on the aforementioned legislation. It was recommended that the Regional Council support SB 832, SB 575 & SB 521 and oppose SB 44.

It was MOVED (Robertson), SECONDED (Garcia) and UNANIMOUSLY APPROVE to support SB 832, SB 575 & SB 521 and oppose SB 44.

7.3.2 **2% Strategy Demonstration Projects/ Suite of Services Selection Criteria**

It was MOVED (Robertson), SECONDED (Mikels) and UNANIMOUSLY APPROVED.

7.4 **Energy & Environment Committee (EEC) Report**

The EEC did not meet. There was no report

8.0 **FUTURE AGENDA ITEMS**

There were no future agenda items requested.

9.0 **LEGAL COUNSEL REPORT**

9.1 **Closed Session**

- Reconsideration of Prior Board of Control Decision on; Statues 1980, Chpt. 1143
Claim No. 3929 Before the Commission on State Mandates
(Regional Housing Needs Determination Cost Reimbursement – Council of Governments)
Conference with Legal Counsel pursuant to Government Code section §54956.9
Pending Litigation (one potential case)

There was no closed session. However a report was provided by Counsel. Authorization was requested by Counsel to proceed with the filing of a Writ, with a condition that all of the Council of Governments draft a fair share cost allocation to support the litigation.

It was MOVED (Washburn), SECONDED (Mikels) and UNANIMOUSLY APPROVED.

- Morrison v. SCAG
Morrison v. Southern California
Association of Governments et al. Superior Court,
Los Angeles County, Case No. BC 312066
Conference with Legal Counsel re: pending litigation
pursuant to Government Code section §54956.9(a)

No closed session was held on this matter.

- Havens v. SCAG
Havens v. Southern California Association of Governments,
Los Angeles County, Case No. BC 324931
Conference with Legal Counsel re: pending litigation
Pursuant to Government Code section §54956.9(a)

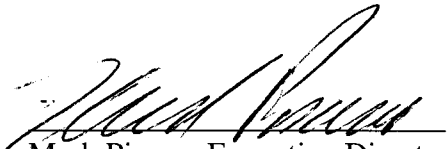
No closed session was held on this matter.

10.0 ANNOUNCEMENTS

Supervisor Mikels thanked the Regional Council for endorsing her nomination as 2nd Vice President of NARC. The election will be conducted at the NARC meeting in June.

11.0 ADJOURNMENT

There being no further business the meeting was adjourned into immediately into the Retreat workshops.


Mark Pisano, Executive Director

REPORT

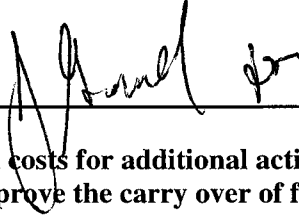
DATE: July 7, 2005

TO: Administration Committee
Regional Council

FROM: Cheryl Collier, Communications Supervisor
(213) 236-1942, collier@scag.ca.gov

SUBJECT: Further Activities Commemorating SCAG's 40th Anniversary

EXECUTIVE DIRECTOR'S APPROVAL:



RECOMMENDED ACTION:

Approve the recommended events and estimated costs for additional activities to celebrate SCAG's 40th anniversary. Further, approve the carry over of funds (\$15,000) authorized in the FY 2004-2005 General Fund for the General Assembly to the FY 2005-2006 General Fund account as well as the carry over of remaining sponsorship funds (\$15,484) received in FY 2004-2005 for the purpose of supporting these additional 40th anniversary activities.

BACKGROUND:

Consideration has been given to marking this milestone year with a series of events held around the region. Each event would include presentations highlighting SCAG's 40-year legacy as well as its plans for the future. This is an opportunity to recognize our members in their home counties and thank them for their contributions in helping SCAG achieve this 40th year milestone. Current and previous Board members will be invited to attend. Under consideration are gatherings such as continental breakfasts, coffees, and receptions at various locations around the region. The estimated cost for these events is \$15,000.

The 2005 General Assembly and 40th Anniversary Celebration were held on May 4th and 5th at the Los Angeles Athletic Club. The event was successful with standing room only at the reception and dinner. One shortcoming was that the space available precluded accommodating a larger contingent of SCAG alumni, staff, and friends. From the earliest stages of planning SCAG's 40th anniversary activities, it was intended that staff and alumni would be included in the festivities. Staff is proposing an October event for staff, alumni, Board members and their alumni to commemorate our 40th anniversary. The estimated cost for this event is \$15,000.

Funding to support these further activities is available through the successful sponsor solicitation that SCAG's Host Committee undertook along with the \$15,000 General Fund allocation approved by the Regional Council last October. It is recommended that the RC approve the carry over of the remaining funds from both accounts into FY 2005-2006 for the purpose of conducting additional 40th anniversary events.

FISCAL IMPACT:

The Regional Council had authorized \$15,000 from the FY 2004-2005 General Fund Budget to support this activity which was not used for the General Assembly. In addition, there is a remaining balance of \$15,484 from funds contributed by sponsors in support of the 40th anniversary commemoration.

REPORT

DATE: June 16, 2005

TO: Administration Committee
Regional Council

FROM: Heather Copp *hc*
Chief Financial Officer/DBE Liaison Officer

SUBJECT: Approval of Draft Disadvantaged Business Enterprise (DBE) Goal and Methodology for Federal Fiscal Year (FY) 2005-2006

EXECUTIVE DIRECTOR'S APPROVAL:

Jim Bull

RECOMMENDED ACTION:

Approve Draft DBE Goal and Methodology for Federal FY 2005-2006 for release for public comment.

BACKGROUND:

On June 16, 2005, SCAG received the attached approval letter from the State Department of Transportation (Caltrans). Caltrans reviewed SCAG's Draft DBE Goal and Methodology for Federal FY 2005-2006 and determined that it meets the basic requirements of the applicable Federal regulation (49 CFR Part 26).

Upon approval by the Regional Council, SCAG will publish a notice of the Draft DBE Goal and Methodology for Federal FY 2005-2006, informing the public that comments will be accepted for forty-five (45) calendar days from the date the notice is advertised. The Public Notice will be placed in various newspapers, including minority newspapers, and on SCAG's website.

FISCAL IMPACT: *hc*

Cost for the Public Notice is approximately \$2,100. Source of funds: Indirect Overhead.

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, OFFICE OF LOCAL ASSISTANCE AND
ALAMEDA CORRIDORS
100 S. Main St. 12th Floor
LOS ANGELES, CA 90012
PHONE (213) 897-0784
FAX (213) 897- 2999



*Flex your power!
Be energy efficient!*

June 16, 2005

Annual Overall DBE Goal Information & Methodology
Federal Fiscal Year (FFY) 2005-2006

Ms. Heather Copp
CFO / DBE Liaison Officer
Southern California Association of Governments
818 West Seventh St. 12th Floor
Los Angeles, CA 90017

Dear Ms. Copp:

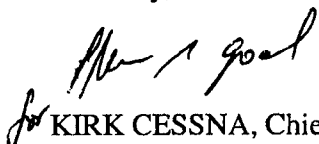
We have reviewed your Draft DBE Goal and Methodology for FFY 2005-2006. It meets the basic requirements of 49 CFR Part 26.

Now, you can advertise your DBE Goal for public participation and comments. The Public participation and commenting period is 45 days from the day of advertising your DBE Goal.

Once the commenting period (45 days) is over, please submit your final DBE Goal Information and Goal Methodology along with proof of publication, summary of comments and your responses for our review and approval. Final submittal is due on September 1, 2005.

Should you have any questions, please contact Sohan Basra of my staff at (213) 897-2931.

Sincerely,

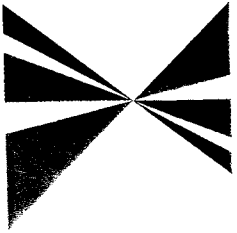

for KIRK CESSNA, Chief
Office of Local Assistance
and Alameda Corridors

Attachment

"Caltrans improves mobility across California"

000011

SOUTHERN CALIFORNIA



**ASSOCIATION of
GOVERNMENTS**

Main Office

818 West Seventh Street
12th Floor
Los Angeles, California
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t (213) 236-1800

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www.scag.ca.gov

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emecula • First Vice President: Councilmember
oni Young, Port Hueneme • Second Vice
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Bernardino County • Lawrence Dale, Barstow •
Paul Eaton, Montclair • Lee Ann Garcia, Grand
Terrace • Tim Jasper, Town of Apple Valley •
Susan Longville, San Bernardino • Deborah
Robertson, Rialto • Alan Wapner, Ontario

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Buenaventura • Toni Young, Port Hueneme

Orange County Transportation Authority: Lou
Correa, County of Orange

Riverside County Transportation Commission:
Robin Lowe, Hemet

Ventura County Transportation Commission:
Keith Millhouse, Moorpark

May 25, 2005

Mr. Kirk Cessna, Office Chief of Local Assistance
California Department of Transportation
700 N. Alameda Street, 4th Floor
Los Angeles, CA 90012

Attention: Mr. Sohan Basra

**RE: DRAFT ANNUAL OVERALL DBE GOAL INFORMATION FOR
FY 2005-2006**

Dear Mr. Basra:

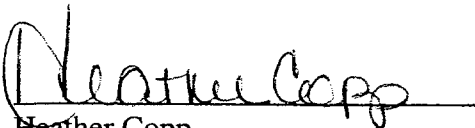
The Southern California Association of Governments (SCAG) respectfully submits for your review and comments our annual overall goal information for the new Federal fiscal year (FFY). SCAG proposes an annual overall DBE goal of 7.5% for FFY 2005-2006 (October 1, 2005 through September 30, 2006).

The amount of overall goal, methodology, and breakout of estimated race-neutral and race-conscious participation are presented herein (see Attachment) in accordance with Title 49 of the Code of Federal Regulations Part 26, and as described in the *Local Assistance Procedures Manual* ("LAPM," March 2001).

A summary of the breakout percentages appears below.

Breakout of Estimated Race-Neutral and Race-Conscious Participation

6.75% (90% of the total goal of 7.5%) is broken-out as a race-conscious component. The remaining **.75%** (10% of the total goal of 7.5%) is spent using race-neutral means, where products and services are purchased from vendors based only on the lowest cost and best qualifications.



Heather Copp
CFO/DBE Liaison Officer

5/26/05
Date



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ATTACHMENT

DBE Goal Methodology

The Southern California Association of Governments (SCAG) FFY 2005-2006 Overall Work Program (OWP) is partly funded by the U.S. Department of Transportation (DOT) under a Consolidated Planning Grant (CPG), which includes funding from FHWA and FTA.¹ SCAG also receives funding from FAA and other Federal sources. The estimated value of DOT-assisted contracts and purchases identified in FFY 2005-2006 is as follows:

I. DOT-Assisted Contracting Program [49CFR 26.45(a)]: Anticipated Work Program for FFY 2005-2006

Work Category	NAICS Category	Estimated Dollar Value	% of Federal Funding by Work Category
Geographic Information System	541370	\$ 3,134,415*	100%
Transportation Planning Consulting	541614		
Environmental Consulting Services	541620		
Professional Services	541990		
TOTAL		\$ 3,134,415*	100%

*Excludes carry-over funding from the FY 2004-2005 OWP and are strictly for new contracts and purchase orders.

The types of projects funded from the above sources, will be directly administered by SCAG and include:

- Air Quality Management Plans
- Growth Visioning Studies
- Aerial Photography
- Regional Demographic Modeling and Area Income Modeling
- Air Cargo Studies
- Economic Modeling
- Environmental Impact Reports
- Goods Movement/Truck and Rail Studies
- Highway Studies and Highway Inventories
- Housing Needs Assessments and Strategies
- Parking Cost Modeling
- Regional Cordon Surveys
- Public Participation and Outreach
- Other Required Transportation Planning & Mandated Activities

II. DBE Goal Methodology [49CFR 26.45(b)]:
Definition of Base Figure [49 CFR 26.45(b)]

The base figure is defined as the relative availability of DBEs in relation to all comparable firms available in an agency's contracting market area.

$$\frac{\text{Number of Ready, Willing, and Able DBEs}}{\text{Number of All Ready, Willing, and Able Firms}} = \text{BASE FIGURE}$$

Step 1. Determination of a Base Figure [49CFR 26.45(c)]:

The base figure for the relative availability of DBE firms that are ready, willing, and able to participate in DOT-assisted contracting in the SCAG area are as follows:

	<u>Consulting/Professional</u>
Base Figure =	$\frac{100 (71)}{587}$
Base Figure =	12.10
Base Figure =	12%

SCAG determined the Base Figure by following the "Utilizing the Bidders List" methodology. SCAG maintains an internal database of consultants and vendors. Presently, SCAG's database provides the most accurate number of potential DBEs available in the SCAG area.

SCAG's database contains firms that provide the types of services utilized by SCAG in the six-county region (Los Angeles, Orange, Imperial, Ventura, San Bernardino, and Riverside counties). Since SCAG is a transportation planning agency, SCAG frequently contracts with transportation planning and environmental consultants throughout the region.

Therefore, based upon the ratio of DBE to non-DBE firms, the base figure is 12% for availability of participation by DBE firms.

Step 2. Adjusting the Base Figure [49CFR 26.45(d)]:

After determining the base figure of 12%, staff surveyed SCAG's records from Fiscal Year (FY) 03-04 and 04-05 to determine whether an adjustment of the base figure is necessary.

In the past year, the value of contracts awarded to DBE firms was approximately \$183,685, out of a total value of approximately \$1,669,764 awarded to vendors and consultants during the same period. Therefore, the percentage of work awarded to DBE firms, based on the total value of all contracts and purchase orders for the past year was 9%.

During FY 03-04, the the value of contracts awarded to DBE firms was approximately \$240,403, out of a total value of approximately \$5,531,233 awarded to vendors and consultants during the same period. Therefore, the percentage of work awarded to DBE firms, based on the total value of all contracts and purchase orders during FY 03-04 was 4%.

SCAG anticipates at least 7.5% participation by DBE firms for FY 05-06, with an adjustment downward from 12% to 7.5% considering past participation.

Resultant Goal [49 CFR 26.45(e)]: 7.5%

III. Breakout of Estimated Race-Neutral and Race-Conscious Participation [49 CFR 26.51]:

“Race-conscious measure or program” is one that is focused specifically on assisting only DBEs, including women owned DBEs” (LAPM, 9-1).

Under the above definition, SCAG employs the following race-conscious measure:

SCAG contracting procedures require that any proposal submitted without meeting the DBE goal or demonstrating good faith efforts to meet the DBE goal be automatically disqualified.

Since approximately 90% of the DOT-assisted funds received by SCAG are awarded to consultants through the selection process described above, 90% of the total goal should be broken-out as a race conscious component. The remaining 10% are spent using race-neutral means, where products and services are purchased from vendors based only on the lowest cost and best qualifications.

IV. Public Participation in Setting Overall Annual DBE Goal [49 CFR 26.45(g)]

Upon approval of this draft goal by Caltrans and SCAG’s governing body, the Regional Council, SCAG will publish a notice of the proposed overall goal, in compliance with 49 CFR 26.45(g) and the LACM.

REPORT

DATE: July 7, 2005

TO: Administrative Committee
Regional Council

FROM: Heather Copp, CFO, (213) 236-1804, copp@scag.ca.gov *HC*

SUBJECT: Co-Sponsorship of UCLA Extension Public Program 2005 Arrowhead Symposium

EXECUTIVE DIRECTOR'S APPROVAL: *Jim Donnell*

RECOMMENDED ACTION:

Approve co-sponsorship of the UCLA 2005 Arrowhead Symposium in the amount of \$10,000.

SUMMARY:

Each year, the UCLA Extension Public Policy Program holds a symposium dealing with regional and public policy issues. This year's topic addresses the impacts of transportation, land use, and environmental policies and practices on public health. The 2 ½ day symposium will take place in October at Lake Arrowhead.

BACKGROUND:

For many years, SCAG has been a sponsor of the UCLA Extension Public Policy Program Symposium. This symposium deals with regional and public policy issues. This year's topic addresses the impacts of transportation, land use, and environmental policies and practices on public health. SCAG is involved in providing input and suggestions to the program. Mr. Brian Taylor who has made presentations to the Regional Council on many occasions is coordinating the final program and speakers.

FISCAL IMPACT: *HC*

This sponsorship for \$10,000 is included in the approved General Fund budget for FY 2005/2006.



April 28, 2005

UCLA EXTENSION
LOS ANGELES, CALIFORNIA 90024

Hasan Ikhrata
Director, Planning & Development Department
Southern California Association of Governments
818 W. 7th Street, Suite 1200
Los Angeles, CA 90017

Dear Hasan:

The purpose of this letter is twofold: to give you an update on the status of planning the 2005 Arrowhead Symposium and to request a gift of funding.

First of all, thank you for your time, effort and thoughtful contributions as part of the Steering Committee, in developing the program for the 2005 Arrowhead Symposium. Attached you will find the draft program outline reflecting ideas discussed for the Public Health topic which will be the focus of this year's Transportation, Land Use, and Environment Connection Symposium. A more detailed outline, including additional speaker suggestions, will be developed by Brian Taylor following the May 5, 2005 Steering Committee Meeting in order to incorporate comments and suggestions received at that time. Once the second draft is finalized, it will be circulated once again for your review, soliciting additional recommendations.

Second, as part of the process, we are following up on ways to adequately fund this carefully crafted policy and research symposium. As you are well aware, there continue to be unknowns about the reauthorization of the federal transportation bill and the availability of our state transportation funds. Such real life concerns make programs that gather practitioners, researchers, and policy makers all the more valuable. It is impossible to place a dollar value on the sharing of perspectives and searching for solutions across professions, which is exactly the forum that Arrowhead offers. This year's topic addresses the impacts of transportation, land use, and environmental policies and practices on public health. The issue touches all of us, personally and professionally, as the health impacts hit our families, our friends and our neighbors.

Please consider this correspondence our formal request for a financial commitment from your organization to support the 2005 Arrowhead Symposium. As one of the sustaining contributors over the many years, we thank you for your contribution of \$8,000 last year. We enlist your support once again and hope that for this year, you can meet or exceed your past investment in the program. Is it possible to increase your commitment to \$10,000 this year?

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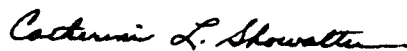
This support, plus any other help and suggestions for other organizations that we might contact, will enable UCLA Extension to commit fully to proceeding with this year's symposium, as well as maintaining the quality and utility of the program. In addition, your funding commitment will help insure the continuation of the edited proceedings that are widely distributed and greatly appreciated by numerous groups and affiliations.

A summary statement of annual symposia contributions over the past 14 years and a sample of past participants are enclosed for your use. If appropriate, please feel free to share those materials with anyone who may wish to know more about the value of these past programs and may consider a gift of funding.

Once again, thank you for your contributions and willingness to consider our request. So that we can be assured of the needed support to proceed with developing this year's program, **we would appreciate receiving your funding commitment by May 13, 2005.**

If you have any questions or suggestions, please don't hesitate to contact me by phone at (310) 825-5335 or by e-mail at cshowalter@uclaextension.edu. It is both a professional honor and personal privilege to work with you.

Sincerely,



Catherine L. Showalter
Director
UCLA Extension Public Policy Program

Cc. Robert Lapiner, Dean, UCLA Extension

Enclosures

000018

REPORT

DATE: July 7, 2005

TO: Administrative Committee
Regional Council

FROM: Sylvia Patsaouras, (213) 236-1806, patsaouras@scag.ca.gov

SUBJECT: Sponsorship for Clean Cities

EXECUTIVE DIRECTOR'S APPROVAL:



RECOMMENDED ACTION:

Approve sponsorship in the amount of \$2,000.

SUMMARY:

The SCAG Southern California Clean Cities Coalition is holding an event titled "Advancing the Choice for Alternative Fuel Vehicles." The event will be held July 21, 2005, from 9:00 a.m. to 8:00 p.m. at Wondries Automotive in Alhambra.

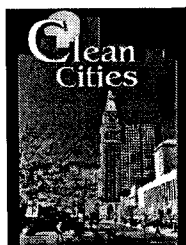
BACKGROUND:

The mission of the Clean Cities Program is to advance the nation's economic, environmental, and energy security by supporting local decisions to adopt practices that contribute to the reduction of petroleum consumption. Clean Cities carries out its mission through a network of more than 80 volunteer coalitions, which develop public/private partnerships to promote alternative fuels and vehicles, fuel blends, fuel economy, hybrid vehicles, and idle reduction. The SCAG Clean Cities Coalition holds several events throughout the year to promote the alternative fuels market. For example, SCAG recently sponsored the 11th National Clean Cities Conference held in May.

FISCAL IMPACT:



This sponsorship for \$2,000 is included in the approved General Fund budget for FY 2005/2006.



The Partnership

21845 E. Copley Drive, Suite 1138, Diamond Bar, CA 91765
Phone: 909.396.5756/ Fax: 909.396.5754
Email: joann@the-partnership.org



SOUTHERN CALIFORNIA CLEAN CITIES COALITION

SAVE THE DATE

“ADVANCING THE CHOICE FOR ALTERNATIVE FUEL VEHICLES”

July 21, 2005 - 9:00 AM - 8:00 PM

Presented by:

**Southern California Association of Governments
Clean Cities Coalition**

Location:

**Wondries Automotive
400 S. Atlantic Blvd.
Alhambra, CA 91802
(Corner of Mission)
800 858-7561**

Hosted by:

Wondries Automotive

Auction Conducted by:

GSA

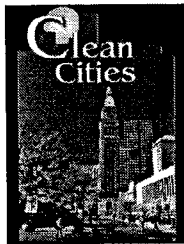
Sponsored by:

**The Southern California Economic Partnership
Southern California Association of Governments
South Coast Air Quality Management District
The Gas Company
American Honda
General Motors
Toyota
Miles Automotive
Clean Energy
Clean Fuel USA**

Please RSVP by e-mail to joann@the-partnership.org no later than 7/14/05

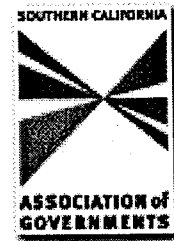
The SCAG Clean Cities Coalition supports the efforts and achievements of neighboring Coalitions; as well as Private and Public Fleets throughout the State of California, in promoting the alternative fuels market.

000020



The Partnership

21845 E. Copley Drive, Suite 1138, Diamond Bar, CA 91765
Phone: 909.396.5756/ Fax: 909.396.5754
Email: joann@the-partnership.org



SOUTHERN CALIFORNIA CLEAN CITIES COALITION “ADVANCING THE CHOICE FOR ALTERNATIVE FUEL VEHICLES”

AGENDA

9:30-10:00

**Continental Breakfast
Vehicle Exhibit/Auction Preview
27 Point Free Safety Car Inspection and (Valet)**

AFV's on Display:

**Ford F-150 CNG
Ford Econoline CNG Van (8 Passenger)
*Ford Escape Hybrid
Chevrolet Silverado Hybrid
Toyota Prius Hybrid
Toyota Highlander Hybrid
Honda Civic Natural Gas
*Honda Civic Hybrid
Miles ZX40 Neighborhood Electric Vehicle**

10:00-10:15

Welcome

SCAG Clean Cities/Alhambra Mayor

10:15-11:30

Speakers:

**Elected Official-Importance of Clean Cities
SCAQMD-Clean Air Choice Program
The Gas Company-HOV Permissible Vehicles
SCAQMD/MSRC-Funding Opportunity
Rio Hondo College-AFV Technician Training
American Honda-Vehicle Platform
GM-General Motors-Vehicle Platform
The Ford Company-Vehicle Platform
Toyota-Vehicle Platform
Rick Longobart-City of Inglewood Testimonial
Clean Energy-Re-fueling Infrastructure
Clean Fuel USA-Re-fueling Infrastructure**

12:00-1:30

Lunch

**Santa Maria BBQ
(Tri-Tip, Ribs and Chicken)**

**1:30-8:00 AFV Auction:
(Auction begins promptly at 2:00)**

**Used Ford Econoline (15 Passenger Van)
Used Ford Econoline (8 Passenger Van)
Used Toyota Camry
New Ford F-150 CNG (1-w/service body)
New Ford Econoline (8 Passenger van)
New Ford F-150 CNG (5-w/out body)
New Toyota Hybrid Prius**


***Vehicles may vary**

***On site funding available**

MEMO

DATE: June 16, 2005

TO: Administration Committee
Regional Council

FROM: Heather Copp, CFO (213) 236-1804 
Email: copp@scag.ca.gov

SUBJECT: Purchase Orders and Contracts Between \$5,000 - \$250,000

SUMMARY:

SCAG executed the following Contracts between \$5,000 and \$250,000

- Sapphire Technologies \$225,000.00
Temporary Staffing Services

SCAG executed the following Purchase Order between \$5,000 and \$250,000

- Pace Navigator \$ 11,329.45
Printing of Legislative Reference Manual
Funding Source: Indirect Overhead

SCAG modified the following Purchase Orders between \$5,000 and \$250,000

- Xerox Corporation \$ 5,000.00
Additional Funding for Photocopier Supplies
Funding Source: Indirect Overhead
- General Networks Corporation \$ 1,500.00
Additional Funding for Novell, GroupWise, and Windows Support
Funding Source: Indirect Overhead

CONSULTANT CONTRACT

Consultant: Sapphire Technologies

Scope: The Consultant will provide temporary staffing created by vacancies or short-term peak workload needs. Temporary staffing services would be for the area of information technology, such as SAP programming, Web Application development, help desk activities, system implementation, or systems analysis.

Contract Amount: **Total not to exceed** **\$225,000**
Sapphire Technologies \$225,000

Contract Period: July 1, 2005 through June 30, 2006

Work Element: 06-XXX.XXXX \$225,000 (Funding Sources: Indirect Overhead and other funding sources depending on area of need.

Request for Proposal: Not Applicable – The State of California, Department of General Services, Procurement Division, in accordance with Public Contract Code (PCC) Sections 10290 et seq. and Section 12101.5, establishes contracts from the federal General Services Administration (GSA) multiple award schedule program for various products and services. As a governmental agency, SCAG is able to take advantage of the California Multiple Award Schedule (CMAS) contract that Sapphire Technologies has with the State of California, without SCAG having to solicit bids.

Selection Process: CMAS

Basis for Selection: Sapphire Technologies is a qualified CMAS contractor.

MEMO

DATE: July 7, 2005

TO: The Regional Council
The Community, Economic and Human Development Committee
The Energy and Environment Committee
The Transportation and Communications Committee

FROM: Charlotte Pienkos, Government Affairs Analyst
Phone: (213) 236-1811 E-Mail: pienkos@scag.ca.gov

SUBJECT: State and Federal Legislative Matrix

Since the June meeting of the Regional Council, the State Legislature has resumed its policy committee hearings and turned its attention to the state budget. As of this writing on June 16th, the State Legislature has passed a budget conference report and submitted the budget to a vote, but the budget was not passed by its June 15th constitutional deadline. Democrats have characterized their budget as substantially similar to the Governor's, but Republicans protest there are key differences. Both versions continue to contain a full \$1.3 billion funding of Proposition 42, as well as a \$1 million appropriations for RHNA work in 2005, presumably to be shared by SCAG and ABAG in the Bay Area.

In Congress, the current extension is slated to expire on June 30th. In the meantime, the conference committee continues work on the reauthorization of TEA-21. SCAG participated in a Washington, D.C. visit to Capitol Hill to press one more time for a fair and adequate reauthorization. Many differences remain unresolved in the conference committee. Government Affairs will update you at the July 7th meeting of any developments.

CP#107688v.4



SOUTHERN CALIFORNIA
ASSOCIATION of GOVERNMENTS

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Private file: AirQuality

CA AB 32	AUTHOR: TITLE: FISCAL COMMITTEE: URGENCY CLAUSE: INTRODUCED: LAST AMEND: DISPOSITION: LOCATION: SUMMARY:	Pavley (D) Greenhouse Gas Emissions: California Climate Registry yes no 12/06/2004 03/31/2005 Pending Senate Environmental Quality Committee <p>Revises the functions and duties of the California Climate Action Registry. Requires the registry, in coordination with the California Environmental Protection Agency and the State Energy Resources Conservation and Development Commission, to adopt specified procedures and protocols monitoring, estimating, calculating, reporting and certifying greenhouse gas emission resulting from specified industrial sectors.</p> STATUS: 05/05/2005 Subject:
		To SENATE Committee on ENVIRONMENTAL QUALITY. AirQuality
CA AB 679	AUTHOR: TITLE: FISCAL COMMITTEE: URGENCY CLAUSE: INTRODUCED: LAST AMEND: DISPOSITION: COMMITTEE: HEARING: SUMMARY:	Calderon (D) Air Resources: Heavy-Duty Motor Vehicles: Diesel Fuel yes no 02/17/2005 04/26/2005 Pending Senate Environmental Quality Committee 06/20/2005 1:30 pm <p>Permits the Air Resources Board to only claim the amount of quantifiable emissions reductions in its emissions inventory and state implementation plan for California-required diesel formulations that have been verified through a new, peer reviewed, scientific test program that measures differences in NOx and particulate emission between CARB diesel and the EPA's 2006 ultralow sulfur highway diesel fuel. Requires the test program to meet specified standards. Permits certain emission reductions.</p> STATUS: 06/09/2005 Subject:
		To SENATE Committees on ENVIRONMENTAL QUALITY and TRANSPORTATION AND HOUSING. AirQuality, Transport
CA AB 841	AUTHOR: TITLE: FISCAL COMMITTEE: URGENCY CLAUSE: INTRODUCED: LAST AMEND: DISPOSITION: COMMITTEE: HEARING: SUMMARY:	Arambula (D) Air Quality: Particulate Monitoring yes no 02/18/2005 04/06/2005 Pending Senate Environmental Quality Committee 06/27/2005 1:30 pm <p>Requires the State Air Resources Board to work to install sufficient and continuous air quality monitors in the western region of Fresno County in areas that are primarily low-income and underserved.</p> STATUS: 06/09/2005 Subject:
		To SENATE Committee on ENVIRONMENTAL QUALITY. AirQuality
CA AB 888	AUTHOR: TITLE: FISCAL COMMITTEE: URGENCY CLAUSE: INTRODUCED: LAST AMEND: DISPOSITION:	De La Torre (D) Air Pollution: South Coast Air Quality: Railyards yes no 02/18/2005 05/27/2005 Pending

000025

COMMITTEE: Senate Environmental Quality Committee**HEARING:** 06/27/2005 1:30 pm**SUMMARY:**

Relates to railyard equipment emission in the South Coast Air Quality Management District. Authorizes the district to establish a railyard equipment emission reduction program by permitting the district to adopt regulations requiring the owner or lessee of any heavy-duty motor vehicle, nonroad engine, or nonroad vehicle to install retrofit controls or replace existing equipment with clean technologies to reduce emissions if the vehicle or engine operates in a railyard.

STATUS:

06/15/2005

To SENATE Committee on ENVIRONMENTAL QUALITY.

Subject:

AirQuality

CA AB 1007

AUTHOR:

Pavley (D)

TITLE:

Air Quality: Alternative Fuels

FISCAL COMMITTEE:

yes

URGENCY CLAUSE:

no

INTRODUCED:

02/22/2005

LAST AMEND:

05/27/2005

DISPOSITION:

Pending

COMMITTEE:

Senate Environmental Quality Committee

HEARING:

06/27/2005 1:30 pm

SUMMARY:

Requires the Sate Air Resources Board to develop and adopt a state plan to increase the use of alternative fuels. Permits the board to consider as a factor, the need for the state to increase fuel diversity to reduce the state's dependency on petroleum fuels, when adopting any regulation to reduce air pollution.

STATUS:

06/15/2005

To SENATE Committee on ENVIRONMENTAL QUALITY.

Subject:

AirQuality

CA AB 1222

AUTHOR:

Jones (D)

TITLE:

Locomotive Pollution: Remote Sensing Pilot Program

INTRODUCED:

02/22/2005

LAST AMEND:

05/27/2005

DISPOSITION:

Pending

COMMITTEE:

Senate Environmental Quality Committee

HEARING:

06/20/2005 1:30 pm

SUMMARY:

Establishes the Remote Sensing Pilot Program. Requires the Air Resources Board to implement the program to determine emissions from locomotives using wayside remote sensing devices. Permits the board to contract with an independent entity to conduct the program. Requires the South Coast Air Quality Management District, and two specified railroad corporations to reimburse the board for its costs in implementing the program.

STATUS:

06/09/2005

To SENATE Committee on ENVIRONMENTAL QUALITY.

Subject:

AirQuality, Transport

CA AB 1365

AUTHOR:

Ruskin (D)

TITLE:

Greenhouse Gas Emission Levels

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

LOCATION:

Senate Environmental Quality Committee

SUMMARY:

Amends existing law that requires the Governor to prepare a comprehensive State Environmental Goals and Policy Report including a statement of approved state environmental goals that are required to be consistent with state planning priorities. Includes as a state planning priority to provide for the reduction in greenhouse gas emissions.

STATUS:

06/09/2005

To SENATE Committee on ENVIRONMENTAL QUALITY.

Subject:

AirQuality

CA SB 44

AUTHOR:

Kehoe (D)

TITLE:

General Plans: Air Quality Element

FISCAL COMMITTEE:

yes

000026

URGENCY CLAUSE: no
INTRODUCED: 01/04/2005
LAST AMEND: 05/17/2005
DISPOSITION: Pending
COMMITTEE: Assembly Local Government Committee
HEARING: 06/29/2005 1:30 pm
SUMMARY:

Requires the legislative body of each city and county located in specified areas to either adopt an air quality element as part of its general plan or amend the appropriate elements of its general plan to include data and analysis, comprehensive goals, policies, and feasible implementation strategies to improve air quality no later than one year from the date specified for the next revision of its housing elements that occurs after a specified date. Requires cities and counties to comply by a certain date.

STATUS:
 06/09/2005 To ASSEMBLY Committee on LOCAL GOVERNMENT.

COMMENTARY:
 CEHD recommends an oppose position to RC 6/2/05
Subject: AirQuality, LandUse

CA SB 109 **AUTHOR:** Ortiz (D)
TITLE: Air Pollution: Minor Violations: Stationary Sources
INTRODUCED: 01/20/2005
LAST AMEND: 06/14/2005
DISPOSITION: Pending
COMMITTEE: Assembly Natural Resources Committee
HEARING: 06/27/2005 1:30 pm
SUMMARY:
 Extends the requirement that the State Air Resources Board and each air pollution control district adopt a regulation or a rule that classifies certain violations as minor. Allows a criminal prosecution of any of certain offenses, despite the recovery of civil penalties for the same offenses. Allows a civil action for any of certain offenses to proceed, despite the filing of a criminal complaint for the same offenses.
STATUS:
 06/14/2005 From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.
 06/14/2005 In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
Subject: AirQuality

CA SB 250 **AUTHOR:** Campbell (R)
TITLE: Hydrogen Fuel Standards
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/15/2005
LAST AMEND: 05/27/2005
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:
 Adds hydrogen fuels to provisions of existing law for use in internal combustion engines and fuel cells in motor vehicles. Requires the Department Food and Agriculture to initially establish specifications for hydrogen fuels and fuel cells for these purposes, until the American Society for Testing and Materials (ASTM) International adopts standards. Requires the department then adopt by reference the latest standards established by ASTM International for these fuels.
STATUS:
 06/01/2005 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
Subject: AirQuality, Energy, Transport

CA SB 459 **AUTHOR:** Romero (D)
TITLE: Air Pollution: South Coast District: Locomotives
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/18/2005
LAST AMEND: 04/12/2005
DISPOSITION: Pending
LOCATION: ASSEMBLY

SUMMARY:

Authorizes the South Coast Air Quality Management District to adopt a locomotive emission impact mitigation fee to be imposed on railroad companies that operate in whole or in part within the Counties of Los Angeles, Orange, Riverside, or San Bernardino, if specified requirements are met. Authorizes the district to expend revenues derived from the mitigation fee in a manner that directly reduces air contaminants or reduces the public health risks.

STATUS:

05/23/2005

In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.

Subject:

AirQuality, Transport

CA SB 467

AUTHOR:

Lowenthal (D)

TITLE:

Carl Moyer Air Quality Standards Attainment Program

FISCAL COMMITTEE:

yes

URGENCY CLAUSE:

no

INTRODUCED:

02/18/2005

LAST AMEND:

04/18/2005

DISPOSITION:

Pending

LOCATION:

Assembly Appropriations Committee

SUMMARY:

Requires the State Air Resources Board to revise the grant criteria and guidelines to incorporate projects in which an applicant turns in a non-road internal combustion technology and equipment that the applicant owns and that still has some useful life, coupled with the purchase of nonroad electric technology and equipment that is in a similar category or that can perform the same work.

STATUS:

06/13/2005

From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS.

Subject:

AirQuality

CA SB 475

AUTHOR:

Runner (R)

TITLE:

Air Pollution Stationary Sources: Emissions Reduction

FISCAL COMMITTEE:

no

URGENCY CLAUSE:

no

INTRODUCED:

02/18/2005

LAST AMEND:

05/25/2005

DISPOSITION:

Pending

LOCATION:

Assembly Natural Resources Committee

SUMMARY:

Requires specified air quality management districts to conduct a joint study to identify means to generate or transfer additional emission reduction credits that could be used in the permitting or new and modified sources in the Mojave Desert Air Basin. Requires the study to seek to identify opportunities and methods, including innovative methods, to generate credits that real, permanent, enforceable, surplus and quantifiable, and that comply with all applicable state and federal requirements.

STATUS:

06/09/2005

To ASSEMBLY Committee on NATURAL RESOURCES.

Subject:

AirQuality

CA SB 757

AUTHOR:

Kehoe (D)

TITLE:

Oil Conservation, Efficiency and Alternative Fuels Act

FISCAL COMMITTEE:

yes

URGENCY CLAUSE:

no

INTRODUCED:

02/22/2005

LAST AMEND:

05/27/2005

DISPOSITION:

Pending

LOCATION:

Assembly Transportation Committee

SUMMARY:

Enacts the Oil Conservation, Efficiency and Alternative Fuels Act. Declares that it is the policy of the state that state agencies shall take all cost-effective and technologically feasible actions needed to reduce the growth of petroleum consumption, and increase transportation energy efficiency and the use of alternative fuels.

STATUS:

06/13/2005

To ASSEMBLY Committees on TRANSPORTATION and UTILITIES AND COMMERCE.

Subject:

AirQuality

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CA SB 764 **AUTHOR:** Lowenthal (D)
TITLE: Air Resources: South Coast Air District: Ports
INTRODUCED: 02/22/2005
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:
 Requires the Port of Los Angeles and the Port of Long Beach to develop a baseline for air quality for their respective ports, in consultation with specified agencies. Requires the air quality baseline to be based on the level of emissions from specified sources. Requires the Port of Los Angeles and the Port of Long Beach to hold public hearings on the baseline data and discuss potential mitigation and control measures to reduce emissions from sources at the port.
STATUS:
 06/01/2005 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
Subject: AirQuality, Transport

CA SB 975 **AUTHOR:** Ashburn (R)
TITLE: Air Quality: Biodiesel Fuel
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2005
LAST AMEND: 04/28/2005
DISPOSITION: Pending
LOCATION: Assembly Transportation Committee
SUMMARY:
 Provides that any public agency or regulated utility may use biodiesel or biodiesel blended fuel in any retrofitted vehicular or off-road diesel engine certified by the Air Resources Board.
STATUS:
 06/13/2005 To ASSEMBLY Committee on TRANSPORTATION.
Subject: AirQuality, Energy, Transport

Private file: Energy

CA AB 200 **AUTHOR:** Leslie (R)
TITLE: Renewable Energy Resources: Portfolio Standard Program
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 01/31/2005
DISPOSITION: Pending
COMMITTEE: Senate Energy, Utilities and Communications Committee
HEARING: 06/21/2005 9:30 am
SUMMARY:
 Relates to the California Renewables Portfolio Standard Program. Adopts certain modifications to the renewables portfolio standard program that are applicable only to an electrical corporation with 60,000 or fewer customer accounts in the state that serves retail end-use customers outside California.
STATUS:
 05/05/2005 To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.
Subject: Energy

CA AB 380 **AUTHOR:** Nunez (D)
TITLE: Electrical Restructuring: Resource Adequacy
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/11/2005
LAST AMEND: 05/02/2005
DISPOSITION: Pending
LOCATION: Senate Energy, Utilities and Communications Committee
SUMMARY:
 Requires the Public Utilities Commission, in consultation with the Independent System Operator, to establish resource adequacy requirements to ensure adequate physical generating capacity, dedicated to serving all load requirements, is available to meet peak demand plus requisite planning and operating reserves. Requires the cost of meeting resource adequacy requirements be fully recoverable from all customers taking service from an electrical corporation on a nonbypassable basis. Requires load reporting.

STATUS:		
05/26/2005		To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.
Subject:		Energy
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CA AB 515	AUTHOR:	Richman (R)
	TITLE:	State Water Project: Solar Photovoltaic Panels
	FISCAL COMMITTEE:	yes
	URGENCY CLAUSE:	no
	INTRODUCED:	02/16/2005
	LAST AMEND:	05/26/2005
	DISPOSITION:	Pending
	COMMITTEE:	Senate Natural Resources and Water Committee
	HEARING:	06/21/2005 9:00 am
	SUMMARY:	Authorizes the Department of Water Resources to establish a program to authorize private entities to lease space above appropriate conveyance facilities of the State Water Project for the purposes of installing solar photovoltaic panels and related systems for the generation and transfer of electricity. Requires the department to evaluate proposals for installing solar photovoltaic panels with related systems. Requires a proposal to include an engineering study of the proposed panels and systems.
	STATUS:	
	06/09/2005	To SENATE Committees on NATURAL RESOURCES AND WATER and ENERGY, UTILITIES AND COMMUNICATIONS.
	Subject:	Energy
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CA AB 728	AUTHOR:	Negrete McLeod (D)
	TITLE:	Electricity: Biogas Digester Customer-Generators
	INTRODUCED:	02/17/2005
	LAST AMEND:	05/02/2005
	DISPOSITION:	Pending
	LOCATION:	Senate Energy, Utilities and Communications Committee
	SUMMARY:	Extends the operation of the biogas customer-generator pilot program. Authorizes an eligible biogas digester customer-generator to continue to receive service pursuant to the net energy metering tariff for the life of the facility. Deletes the 5 megawatt per electrical corporation limitation on eligibility for the program. Increases the current 15 megawatt statewide limitation. Requires the Public Utilities Commission to report certain information on the program to the Legislature.
	STATUS:	
	06/02/2005	To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.
	Subject:	Energy
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CA AB 1362	AUTHOR:	Levine (D)
	TITLE:	Renewable Portfolio Standard Program
	INTRODUCED:	02/22/2005
	LAST AMEND:	05/27/2005
	DISPOSITION:	Pending
	LOCATION:	Senate Energy, Utilities and Communications Committee
	SUMMARY:	Revises and recasts intent language in the Renewable Energy Resources Program so that the amount of electricity generated per year from renewable energy resources is increased to an amount that equals at least 20% of the total electricity generated for consumption in California by 2010; requires the Energy Commission to design and implement an accounting system to certify renewable energy credits produced by eligible renewable energy resources. Requires conditions to be met for credit trading.
	STATUS:	
	06/09/2005	To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.
	Subject:	Energy
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CA AB 1383	AUTHOR:	Pavley (D)
	TITLE:	Electricity: Distributed Emerging Technologies: Rebates
	FISCAL COMMITTEE:	yes
	URGENCY CLAUSE:	no
	INTRODUCED:	02/22/2005
	LAST AMEND:	05/27/2005

DISPOSITION: Pending
COMMITTEE: Senate Energy, Utilities and Communications Committee
HEARING: 06/21/2005 9:30 am
SUMMARY:

Authorizes the Energy Commission to adjust the amount of a rebate for eligible distributed emerging technologies for affordable housing projects based on the capacity of the system and the anticipated rebate funding level to stimulate increased participation from affordable housing projects. Authorizes the commission to establish a reasonable minimum funding level or limit.

STATUS:

06/09/2005 To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.
Subject: Energy

CA AB 1547

AUTHOR: Levine (D)
TITLE: Energy: Solar Generation of Electricity
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2005
LAST AMEND: 05/27/2005
DISPOSITION: Pending
LOCATION: Senate Energy, Utilities and Communications Committee
SUMMARY:

Enacts the Solar Energy Peak Procurement Act and fund. Excepts moneys expended through the Emerging Renewable Resources Account from the requirement that the Energy Commission prepare an investment plan on or before March 31, 2006. Authorizes the commission to advance moneys to the Emerging Renewable Resources Account and to the fund without further legislative action, subject to payment provisions. Requires proportional program support for affordable housing units.

STATUS:

06/09/2005 To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.
Subject: Energy

CA AB 1576

AUTHOR: Nunez (D)
TITLE: Electrical Corporations: Rates: Repowering Projects
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2005
LAST AMEND: 05/23/2005
DISPOSITION: Pending
LOCATION: Senate Energy, Utilities and Communications Committee
SUMMARY:

Requires that the costs of a contract entered into pursuant to a procurement plan by an electrical corporation for the output of a repowering project that meets specified criteria to be recoverable in rates from all customers who benefit, taking into account any collateral requirements and debt equivalence associated with the contract.

STATUS:

06/09/2005 To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.
Subject: Energy

CA AB 1585

AUTHOR: Blakeslee (R)
TITLE: Energy Resources Conservation and Development
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2005
LAST AMEND: 04/20/2005
DISPOSITION: Pending
LOCATION: Senate Energy, Utilities and Communications Committee
SUMMARY:

Requires the Energy Commission to review the feasibility of increasing the target for the amount of electricity to be procured from eligible renewable energy resources to 33% by the year 2020 and report the results to the Governor and Legislature.

STATUS:

06/02/2005 To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.
Subject: Energy

CA AB 1632

AUTHOR: Blakeslee (R)

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TITLE: Energy Planning and Forecasting
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2005
LAST AMEND: 05/27/2005
DISPOSITION: Pending
LOCATION: Senate Energy, Utilities and Communications Committee
SUMMARY:
 Requires the State Energy Conservation and Development Commission, as part of its electricity and natural gas forecasting and assessment activities, to compile and assess existing scientific studies to determine the potential vulnerability, to a major disruption due to aging or a major seismic event, of large baseload generation facilities of 1,700 megawatts or greater, including a specified analysis for the impact of a major disruption on system reliability, public safety, and the economy.
STATUS:
 06/09/2005 To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.
Subject: Energy

CA AB 1736 **AUTHOR:** Levine (D)
TITLE: Medi-Cal: Disease Management
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/24/2005
LAST AMEND: 06/08/2005
DISPOSITION: Pending
COMMITTEE: Senate Health Committee
HEARING: 06/22/2005 1:30 pm
SUMMARY:
 Requires the Department of Health Services to test the efficacy of the chronic care model in providing a disease management benefit to Medi-Cal beneficiaries, for treating people with chronic disease in community-based settings and public hospital system primary care settings. Authorizes other demonstration under a federal waiver that meet certain requirements. Requires the demonstration to be on a county basis, with the consent of participating counties.
STATUS:
 06/15/2005 Re-referred to SENATE Committee on HEALTH.
Subject: Energy

CA SB 1 **AUTHOR:** Murray (D)
TITLE: Energy: Renewable Energy Resources: Solar Roofs
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 12/06/2004
LAST AMEND: 05/31/2005
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:
 Establishes the Million Solar Roofs Initiative and fund, with the goal of establishing a million solar energy systems on new and existing residential and commercial customer sites and establishing a self-sufficient solar industry in 10 years. Requires all local publicly owned electric utilities to establish a solar roofs initiative. Requires the Public Utilities Commission to order electrical corporations to expand the availability of net energy metering until it exceeds 0.5% of total electricity sales.
STATUS:
 06/01/2005 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
Subject: Environment

CA SB 107 **AUTHOR:** Simitian (D)
TITLE: Renewable Energy
INTRODUCED: 01/20/2005
LAST AMEND: 05/04/2005
DISPOSITION: Pending
COMMITTEE: Assembly Utilities and Commerce Committee
HEARING: 06/27/2005 3:00 pm
SUMMARY:
 Revises and recasts language so that the amount of electricity generated per year from eligible

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renewable energy resources is increased to an amount that equals at least 20% of the total electricity sold to retail customers per year by December 31, 2010. Requires the Energy Commission to develop tracking, accounting, verification, and enforcement mechanisms for renewable energy programs.

STATUS:

06/09/2005

To ASSEMBLY Committees on UTILITIES AND COMMERCE and NATURAL RESOURCES.

Subject:

Energy

CA SB 426

AUTHOR:

Simitian (D)

TITLE:

Energy Resources Conservation: Liquefied Natural Gas

FISCAL COMMITTEE:

yes

URGENCY CLAUSE:

no

INTRODUCED:

02/17/2005

LAST AMEND:

05/27/2005

DISPOSITION:

Pending

LOCATION:

Assembly Utilities and Commerce Committee

SUMMARY:

Requires the Energy Commission to make a liquefied natural gas (LNG) needs assessment study to assess demand and supply for natural gas and alternatives thereto to meet energy demands and to determine the number of LNG terminals needed to meet the projected natural gas demand. Requires that with respect to any LNG terminal that requires a certificate of public convenience and necessity, that no certificate be issued unless the terminal has obtained a permit from the Energy Commission.

STATUS:

06/13/2005

To ASSEMBLY Committees on UTILITIES AND COMMERCE and NATURAL RESOURCES.

Subject:

Energy, Transport

CA SB 1048

AUTHOR:

Machado (D)

TITLE:

Electrical Restructuring: Distributed Energy Resources

INTRODUCED:

02/22/2005

LAST AMEND:

04/14/2005

DISPOSITION:

Pending

LOCATION:

ASSEMBLY

SUMMARY:

States the intent of the Legislature to develop distributed generation projects for generating electricity utilizing natural gas produced in association with oil production in the state, and that these projects reduce air pollution, economically benefit electricity consumers, and provide economic benefits for the owners of facilities for the generation of electricity.

STATUS:

05/09/2005

In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.

Subject:

AirQuality, Energy

Private file: Environment

CA AB 597

AUTHOR:

Montanez (D)

TITLE:

Response Actions: Brownfield Sites

INTRODUCED:

02/17/2005

LAST AMEND:

05/03/2005

DISPOSITION:

Pending

COMMITTEE:

Senate Environmental Quality Committee

HEARING:

06/20/2005 1:30 pm

SUMMARY:

Revises the public participation procedures under the Land Reuse and Revitalization Act of 2004 that are required to be included in the response plan, including requiring the agency to notify all other appropriate governmental entities and local agencies that is not a party to the response plan regarding the proposed response action. Relates to the immunity under the act for specified purchasers, innocent landowners, or contiguous property owners.

STATUS:

06/09/2005

To SENATE Committees on ENVIRONMENTAL QUALITY and JUDICIARY.

Subject:

Environment

CA SB 153

AUTHOR:

Chesbro (D)

TITLE:

Clean Water, Clean Air, and Coastal Protection Act

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FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/08/2005
LAST AMEND: 06/02/2005
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Proposes to enact the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2006, which if adopted, would authorize the issuance, pursuant to the State General Obligation Bond Law, of bonds in a specified amount.

STATUS:

06/02/2005 In SENATE. Read third time and amended. Senate Rule 29.3 suspended. To third reading.

06/02/2005 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.

Subject: AirQuality, Environment, Water

Private file: SolidWaste

CA AB 575

AUTHOR: Wolk (D)
TITLE: Electronic Waste Recycling
FISCAL COMMITTEE: yes
URGENCY CLAUSE: yes
INTRODUCED: 02/16/2005
LAST AMEND: 05/23/2005
DISPOSITION: Pending
COMMITTEE: Senate Environmental Quality Committee
HEARING: 06/20/2005 1:30 pm
SUMMARY:

Defines the term vendor. Allows a retailer to elect to pay the covered electronic waste recycling fee on behalf of the consumer by paying the covered electronic waste recycling fee to the retailer's vendor. Provides that if the retailer makes this election, the covered electronic waste recycling fee is a debt owed by the vendor to the state, and the retailer is not liable for the fee. Authorizes the disclosure of the name, address, account number and account status of the collector of the fee.

STATUS:

06/02/2005 To SENATE Committee on ENVIRONMENTAL QUALITY.

Subject: SolidWaste

CA AB 1125

AUTHOR: Pavley (D)
TITLE: Household Battery Recycling Act
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2005
LAST AMEND: 06/01/2005
DISPOSITION: Pending
COMMITTEE: Senate Environmental Quality Committee
HEARING: 06/27/2005 1:30 pm
SUMMARY:

Enacts the Household Battery Recycling Act of 2006. Requires a retailer of household batteries to have in place a system for the acceptance and collection of used household batteries for reuse, recycling, or proper disposal including the take-back at no cost to the consumer of a used household battery, the type or brand of which the retailer sold or previously sold. Prohibits the sale of such batteries to a consumer after a specified date, unless the retailer complies with this act.

STATUS:

06/15/2005 To SENATE Committee on ENVIRONMENTAL QUALITY.

Subject: SolidWaste

CA SB 423

AUTHOR: Simitian (D)
TITLE: Electronic Waste: Recycling
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/17/2005
LAST AMEND: 04/12/2005
DISPOSITION: Pending

LOCATION: Assembly Natural Resources Committee**SUMMARY:**

Amends the Electronic Waste Recycling Act of 2003. Requires the Integrated Waste Management Board to establish and update statewide electronic waste recycling goals in consultation with the Department of Toxic Substances Control.

STATUS:

05/19/2005 To ASSEMBLY Committees on NATURAL RESOURCES and ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.

Subject: SolidWaste

CA SB 928

AUTHOR: Perata (D)**TITLE:** Public Resources: Solid Waste**INTRODUCED:** 02/22/2005**LAST AMEND:** 05/02/2005**DISPOSITION:** Pending**COMMITTEE:** Assembly Natural Resources Committee**HEARING:** 06/27/2005 1:30 pm**SUMMARY:**

Changes that percentage to an unspecified amount a city or county source reduction element to divert of all solid waste from landfill disposal of transformation through source reduction, recycling, and composting activities. Deletes the reference in existing law to the additional authority of the board to grant a time extension for diversion requirements.

STATUS:

06/09/2005 To ASSEMBLY Committee on NATURAL RESOURCES.

Subject: SolidWaste

Private file: Water

CA AB 371

AUTHOR: Goldberg (D)**TITLE:** Water Recycling**FISCAL COMMITTEE:** yes**URGENCY CLAUSE:** no**INTRODUCED:** 02/11/2005**LAST AMEND:** 05/17/2005**DISPOSITION:** Pending**COMMITTEE:** Senate Environmental Quality Committee**HEARING:** 06/27/2005 1:30 pm**SUMMARY:**

Requires the Water Resources Control Board, for the purpose of establishing the amount of a fee that may be imposed upon any publicly owned treatment works, to structure the fee schedule to provide incentives to maximize water recycling. Authorizes a fire incident commander to use recycled water in a catastrophic fire. Relates to procedures for using recycled water in state landscape irrigation. Relates to a plumbing code standards for buildings for both potable and recycled water systems.

STATUS:

06/09/2005 To SENATE Committee on ENVIRONMENTAL QUALITY.

Subject: Water

CA AB 495

AUTHOR: Montanez (D)**TITLE:** Waste Discharge Requirements: Penalties**INTRODUCED:** 02/16/2005**LAST AMEND:** 05/03/2005**DISPOSITION:** Pending**COMMITTEE:** Senate Environmental Quality Committee**HEARING:** 06/27/2005 1:30 pm**SUMMARY:**

Redefines effluent limitation under the Porter-Cologne Water Quality Control Act that provides a penalty for a violation of a toxicity effluent limitation, to mean a numeric or narratively expressed narrative restriction, on the quantity, discharge rate, concentration or toxicity units of a pollutant or pollutants that may be discharged from an authorized location.

STATUS:

06/02/2005 To SENATE Committee on ENVIRONMENTAL QUALITY.

Subject: Water

CA AB 1128

AUTHOR: Blakeslee (R)

TITLE: California Regional Water Quality Control Board Members
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2005
LAST AMEND: 04/27/2005
DISPOSITION: Pending
COMMITTEE: Senate Environmental Quality Committee
HEARING: 06/27/2005 1:30 pm
SUMMARY:

Authorizes a board member of a regional water quality control board to participate in specified board actions if the actions apply on a regionwide basis, are not decisions in which the board member has a financial interest, and are not specified actions required to be undertaken pursuant to the federal Clean Water Act or certain other enforcement-related actions.

STATUS:

06/02/2005

To SENATE Committee on ENVIRONMENTAL QUALITY.

Subject:

Water

CA AB 1201

AUTHOR: Laird (D)
TITLE: Sierra Nevada Conservancy
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2005
LAST AMEND: 06/08/2005
DISPOSITION: Pending
LOCATION: Senate Appropriations Committee
SUMMARY:

Revises the description of the Sierra Nevada Region for purposes of the Sierra Nevada Conservancy. Specifies that the conservancy may not acquire a fee interest in real property by purchase. Authorizes the conservancy to receive bequests and devises.

STATUS:

06/14/2005

From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass to Committee on APPROPRIATIONS.

Subject:

Water

CA SB 113

AUTHOR: Machado (D)
TITLE: California Bay-Delta Authority Act
INTRODUCED: 01/24/2005
LAST AMEND: 04/14/2005
DISPOSITION: Pending
LOCATION: Assembly Water, Parks and Wildlife Committee
SUMMARY:

Relates to existing law which requires the California Bay-Delta Authority to review, approve, and make recommendations regarding certain annual program plans and project expenditures submitted by the implementing agencies based on prescribed criteria. Requires the authority, in undertaking that review, approval or modification, to consider the extent to which those plans or expenditures are consistent with the beneficiary pays principle.

STATUS:

06/09/2005

To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.

Subject:

Environment, Water

CA SB 387

AUTHOR: Ducheny (D)
TITLE: New River
INTRODUCED: 02/17/2005
LAST AMEND: 04/19/2005
DISPOSITION: Pending
LOCATION: Assembly Second Reading File
SUMMARY:

Includes sewage treatment and pollution prevention among the listed uses, and only as applied to the New River in Imperial County. Defines the phrase use or enlargement of any natural channel for municipal purposes to include the encasement and piping of the New River to protect human health and the natural environment.

STATUS:

06/14/2005

From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass as amended.

Subject:

Water

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CA SB 820	AUTHOR: TITLE: FISCAL COMMITTEE: URGENCY CLAUSE: INTRODUCED: LAST AMEND: DISPOSITION: COMMITTEE: HEARING: SUMMARY:	Kuehl (D) Water yes no 02/22/2005 05/27/2005 Pending Assembly Water, Parks and Wildlife Committee 06/28/2005 9:00 am Requires the Department of Water Resources to prepare and deliver to all State Water Project contractors, city and county planning departments, and regional and metropolitan planning departments within the project service area a report that accurately sets forth, under a range of hydrologic conditions, the then-existing overall delivery capability of the project facilities and the allocation of that capacity to each contractor. Relates to diversions for small domestic or livestock stockponds.
	STATUS: 06/13/2005 Subject:	 To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE. Water

US H 18	SPONSOR: TITLE: INTRODUCED: LAST AMEND: DISPOSITION: LOCATION: SUMMARY:	Baca (D) Groundwater Remediation Program 01/04/2005 04/12/2005 Pending Senate Energy and Natural Resources Committee To authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long - term groundwater remediation program in California, and for other purposes.
	STATUS: 04/13/2005 04/13/2005	 In SENATE. Read second time. To SENATE Committee on ENERGY AND NATURAL RESOURCES.

US H 135	SPONSOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	Linder (R) Comprehensive Water Strategy 01/04/2005 Pending Senate Environment and Public Works Committee Establishes the Twenty-First Century Water Commission to study and develop recommendations for a comprehensive water strategy to address future water needs.
	STATUS: 04/13/2005 04/13/2005	 In SENATE. Read second time. To SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.

US H 186	SPONSOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	Pombo (R) Groundwater Remediation Program 01/04/2005 Pending Senate Energy and Natural Resources Committee Authorizes the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long - term groundwater remediation program in California, and for other purposes.
	STATUS: 03/15/2005 03/15/2005	 In SENATE. Read second time. To SENATE Committee on ENERGY AND NATURAL RESOURCES.

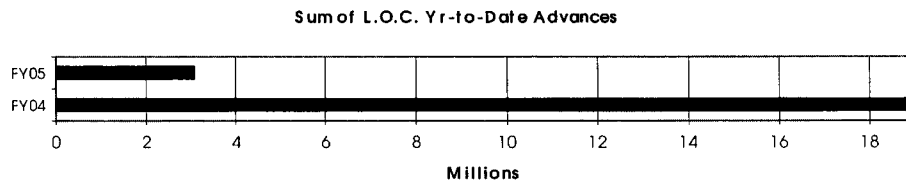
MEMO

DATE: June 14, 2005
TO: Administration Committee and Regional Council
FROM: Heather Copp, Chief Financial Officer
(213) 236-1804, copp@scag.ca.gov 
RE: Monthly Report for May 2005

Information Only

Background: This report contains information about SCAG's cash flow, budget and expenditure data as of May 31, 2005.

Cash Flow: The Association has been able to achieve 283 debt free days out of 335 days of the fiscal year. Year to date borrowings declined about 84% from \$18.8 million last year to \$3.0 million this year.



Budget and Expenses: The SCAG Agency-Wide and General Fund financial reports are attached. This financial data is directly exported from the SAP system. The Agencywide report is all inclusive of the OWP, General Fund, Indirect Cost and Fringe Benefits. We have categorized the accounts in the Agency-Wide report to give you a 'Big Picture'. These categories are summarized below and detailed on the following pages.

Percent of year: 92%

Category	Budget	YTD Expend	Balance	Percent Spent
Staff	9,519,205	7,863,417	1,655,788	83%
Consultant	14,366,046	2,447,803	11,918,243	17%
Sub Regions	1,799,645	353,376	1,446,269	20%
Direct Costs	4,749,073	2,794,445	1,954,628	59%
Fringe Benefits	3,324,808	2,736,815	587,993	82%
Other	3,342,296	1,473,267	1,869,029	44%
Total	37,101,073	17,669,123	19,431,950	48%

May Highlights

- GFOA Award received for our FY04 CAFR – "Excellence in Financial Reporting".
- Received approval from Caltrans of SCAG's ICAP for FY06.

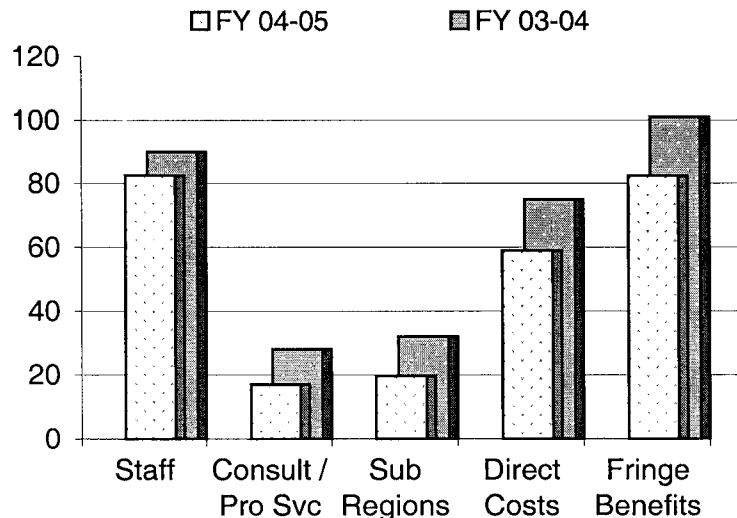
**Budget v. Actual and Encumbrances
Through May - 92% of Year**

	Yr to Date Expenditures			Pct of Bud	Encum- brances	YTD Expenditures Plus		Pct of Bud
Budget	Thru May	Balance	Encumbrs			Balance		
Staff								
Salaries	9,418,205	7,660,632	1,757,573	81%	-	7,660,632	1,757,573	81%
Temporary Help	101,000	202,785	(101,785)	201%	100,819	303,604	(202,604)	301%
	9,519,205	7,863,417	1,655,788	83%	100,819	7,964,236	1,554,969	84%
Consultant / Professional Services								
SCAG Consultant	13,105,446	1,561,991	11,543,455	12%	6,111,458	7,673,450	5,431,996	59%
Legal Services	435,000	248,384	186,616	57%	196,116	444,500	(9,500)	102%
Professional Services	825,600	637,428	188,172	77%	174,085	811,513	14,087	98%
	14,366,046	2,447,803	11,918,243	17%	6,481,659	8,929,463	5,436,583	62%
Sub Regions								
Subregional Consultant	552,625	153,409	399,216	28%	316,922	470,331	82,294	85%
Subregional Staff Projects	1,247,020	199,967	1,047,053	16%	1,039,163	1,239,130	7,890	99%
	1,799,645	353,376	1,446,269	20%	1,356,085	1,709,461	90,184	95%
Direct Costs								
Internet Access Fees	3,000	1,349	1,651	45%	299	1,648	1,352	55%
Software Support	115,000	84,371	30,629	73%	2,143	86,514	28,486	75%
Hardware Support	35,000	25,188	9,812	72%	5,503	30,691	4,309	88%
Software Purchases	28,000	8,196	19,804	29%	35,958	44,155	(16,155)	158%
Office Rent - Main Office	1,400,000	1,036,204	363,796	74%	77,988	1,114,192	285,808	80%
Office Rent - Satellite Office	38,000	35,406	2,594	93%	-	35,406	2,594	93%
Equipment Leases	340,000	316,481	23,519	93%	35,517	351,998	(11,998)	104%
Equipment Repairs	25,000	12,552	12,448	50%	10,547	23,099	1,901	92%
Insurance	180,000	157,136	22,864	87%	-	157,136	22,864	87%
Payroll and Bank Process Fee	25,000	22,361	2,639	89%	-	22,361	2,639	89%
Office Supplies	101,000	93,783	7,217	93%	33,111	126,894	(25,894)	126%
Office Maintenance	-	220	(220)	0%	750	970	(970)	0%
Small Office Purchase	114,100	93,271	20,829	82%	86,185	179,456	(65,356)	157%
Telephone Charges	80,000	55,958	24,042	70%	7,859	63,817	16,183	80%
Postage and Delivery	80,000	50,919	29,081	64%	171	51,090	28,910	64%
SCAG Memberships	73,000	64,265	8,735	88%	244	64,509	8,491	88%
Professional Memberships	7,500	3,365	4,135	45%	683	4,048	3,452	54%
Resource Materials and Subs	103,296	71,877	31,419	70%	55,031	126,908	(23,612)	123%
Depreciation - Furniture	32,700	31,068	1,632	95%	-	31,068	1,632	95%
Depreciation - Computer	85,000	34,183	50,817	40%	-	34,183	50,817	40%
Capital Outlay	100,000	-	100,000	0%	6,167	6,167	93,833	6%
Recruitment Notices	22,000	19,724	2,276	90%	6,941	26,665	(4,665)	121%
Public Notices	27,500	7,295	20,205	27%	16,095	23,390	4,110	85%
Staff Training	50,000	24,319	25,681	49%	20,336	44,655	5,345	89%
RC & Committee Meetings	30,000	14,590	15,410	49%	12,067	26,657	3,344	89%
RC Retreat	15,000	-	15,000	0%	16,750	16,750	(1,750)	112%
RC General Assembly	0	2,060	(2,060)	0%	-	2,060	(2,060)	0%
Other Meeting Expense	135,200	63,448	71,752	47%	20,857	84,305	50,895	62%
Miscellaneous	227,200	41,518	185,682	18%	3,121	44,639	182,561	20%
RC Meeting Stipends	130,000	85,405	44,595	66%	5,999	91,404	38,596	70%
Letter of Credit Interest	40,000	9,788	30,212	24%	-	9,788	30,212	24%
Caltrans Rapid Pay Fees	2,000	900	1,100	45%	-	900	1,100	45%
Cash Contributions to Projects	654,000	92,846	561,154	14%	-	92,846	561,154	14%
Printing	149,227	48,733	100,494	33%	16,136	64,869	84,358	43%
Travel	215,200	112,100	103,100	52%	350	112,450	102,750	52%
Travel - Lod > Per Diem	0	20	(20)	0%	-	20	(20)	0%
Travel - Event Registration	28,800	40,172	(11,372)	139%	3,396	43,568	(14,768)	151%
AMPO Board Expense	0	-	0	0%	-	-	0	0%
RC Special Projects	20,000	14,524	5,476	73%	7,980	22,504	(2,504)	113%
RC Sponsorships	37,350	18,850	18,500	50%	10,000	28,850	8,500	77%
	4,749,073	2,794,445	1,954,628	59%	498,184	3,292,630	1,456,444	69%

**Budget v. Actual and Encumbrances
Through May - 92% of Year**

	Budget	Yr to Date Expenditures Thru May	Balance	Pct of Bud	Encum- brances	YTD Expenditures Plus Encumbrs	Balance	Pct of Bud
Fringe Benefits								
Vacation Accrual Reconciliatio	-	(37,047)	37,047	0%	-	(37,047)	37,047	0%
Severance Pay	-	20,778	(20,778)	0%	-	20,778	(20,778)	0%
Sick Leave Payback	-	(4,580)	4,580	0%	-	(4,580)	4,580	0%
Compensation Awards	-	43,794	(43,794)	0%	-	43,794	(43,794)	0%
Retirement - PERS	1,376,879	1,131,554	245,325	82%	-	1,131,554	245,325	82%
Retirement - PARS	55,800	57,101	(1,301)	102%	-	57,101	(1,301)	102%
Health Insurance	773,000	616,437	156,563	80%	-	616,437	156,563	80%
Dental Insurance	78,895	80,528	(1,633)	102%	-	80,528	(1,633)	102%
Vision Insurance	30,000	22,757	7,243	76%	-	22,757	7,243	76%
Life Insurance	110,000	84,945	25,055	77%	-	84,945	25,055	77%
Medical & Dental Cash Rebate	316,000	259,954	56,046	82%	-	259,954	56,046	82%
Medicare Tax	135,137	103,696	31,441	77%	-	103,696	31,441	77%
Tuition Reimbursements	15,000	2,106	12,894	14%	-	2,106	12,894	14%
Bus Passes	15,000	9,361	5,639	62%	-	9,361	5,639	62%
Carpool Reimbursements	5,000	3,528	1,472	71%	-	3,528	1,472	71%
Bus Passes - Taxable	75,000	52,598	22,402	70%	-	52,598	22,402	70%
Workers Comp Insurance	230,097	233,900	(3,803)	102%	-	233,900	(3,803)	102%
Unemployment Insurance	40,000	9,442	30,558	24%	-	9,442	30,558	24%
Deferred Comp Match	65,000	43,026	21,974	66%	-	43,026	21,974	66%
Benefit Administration Fees	4,000	2,937	1,063	73%	-	2,937	1,063	73%
	3,324,808	2,736,815	587,993	82%	-	2,736,815	587,993	82%
Other								
Soft Match Contributions	3,179,080	1,473,267	1,705,813	46%	1,705,102	3,178,370	711	100%
Reconcile to Burden	163,216	0	163,216	0%	-	0	163,216	0%
	3,342,296	1,473,267	1,869,029	44%	1,705,102	3,178,370	163,927	95%
Grand totals:	37,101,073	17,669,123	19,431,950	48%	10,141,849	27,810,975	9,290,100	75%

% of Budget Spent @ 92% of year



Budget v. Actual and Encumbrances
General Fund Only
Through May - 92% of Year

	Budget	Yr to Date Expenditures Thru May	Balance	Pct of Bud	Encum- brances	YTD Expenditures Plus Encumbrs	Balance	Pct of Bud
Staff								
Salaries	9,152	12,578	(3,427)	137%	-	12,578	(3,426)	137%
Fringe Burden	5,050	6,082	(1,032)	120%	-	6,082	(1,032)	120%
Indirect Burden	15,797	20,754	(4,957)	131%	-	20,754	(4,957)	131%
	29,999	39,414	(9,416)	131%	-	39,414	(9,415)	131%
Consultant / Professional Services								
SCAG Consultant	-	-	-	0%	56,084	56,084	(56,084)	0%
Legal Services	200,000	61,056	138,944	31%	159,587	220,643	(20,643)	110%
Professional Services	290,800	227,091	63,709	78%	57,043	284,134	6,666	98%
	490,800	288,147	202,653	59%	272,714	560,861	(70,061)	114%
Direct Costs								
Payroll Bank Fees	-	4,621	(4,621)	0%	-	4,621	(4,621)	0%
Office Supplies	1,000	746	255	75%	1,058	1,804	(804)	180%
SCAG Memberships	12,500	12,313	187	99%	-	12,313	187	99%
Capital Outlay	100,000	-	100,000	0%	-	-	100,000	0%
RC & Committee Meetings	30,000	13,436	(16,564)	45%	8,121	21,557	8,443	72%
RC Retreat	15,000	-	15,000	0%	11,475	11,475	3,525	77%
RC General Assembly	-	-	-	0%	-	-	-	0%
Other Meeting Expense	-	-	-	0%	-	-	-	0%
Miscellaneous	1,000	762	(238)	76%	200	962	38	96%
RC Meeting Stipends	130,000	85,405	44,595	66%	5,999	91,404	38,596	70%
Letter of Credit Interest	40,000	9,788	30,212	24%	-	9,788	30,212	24%
Caltrans Rapid Pay Fees	2,000	900	1,100	45%	-	900	1,100	45%
Cash Contributions to Projects	654,000	92,846	561,154	14%	-	92,846	561,154	14%
Travel	37,000	16,315	20,611	44%	-	16,315	20,685	44%
Travel - Lod. > Per Diem	-	20	(20)	0%	-	20	(20)	0%
Travel - Event Registration	13,000	10,893	2,107	84%	-	10,893	2,107	84%
AMPO Board Expense	-	-	-	0%	-	-	-	0%
RC Special Projects	20,000	14,524	5,476	73%	7,480	22,004	(2,004)	110%
RC Sponsorships	37,350	18,850	18,500	50%	10,000	28,850	8,500	77%
	1,092,850	281,419	777,754	26%	44,333	325,752	767,098	30%
Grand totals:	1,613,649	608,980	970,991	38%	317,047	926,027	687,622	57%

REPORT

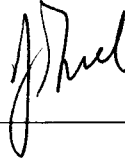
DATE: June 15, 2005

TO: Administration Committee
Executive Committee
Regional Council

FROM: Karen Tachiki, Chief Counsel
Heather Copp, Chief Financial Officer

SUBJECT: Authorization for the Executive Committee to meet in August and Delegation of Authority

EXECUTIVE DIRECTOR'S APPROVAL:



RECOMMENDED ACTION:

Authorize the Executive Committee to meet in August, if necessary, and to take appropriate action on contract and legislative matters subject to ratification at the September Regional Council meeting.

BACKGROUND:

At the May meeting of the Regional Council, the decision was made to forgo the August 2005 meeting. As a result, it is necessary that the Regional Council delegate to the Executive Committee the authority to meet and take necessary actions, particularly with regard to the award of contracts until the Regional Council convenes again in September 2005. At the present time, the staff anticipates that there will be two contracts that will be presented for consideration. They are highlighted below. Additionally, it is suggested that the Executive Committee also be authorized to consider legislative matters, if necessary, and to report its actions to the Regional Council in September.

1. RFP # 06-017-C1 / Update of the Regional Transportation Plan

As the designated Metropolitan Planning Organization (MPO) for the six-county region in Southern California, SCAG must update the Regional Transportation Plan (RTP) every three years. SCAG faces many challenges in developing its regional transportation plan (RTP) which will address the years 2006 through 2030.

While weighing these challenges, SCAG's RTP must carefully consider the costs to the region of all transportation options and the available revenue stream to support these projects and programs. The adopted RTP must include a financial plan to cover any revenue shortfalls including feasible strategies for new or increased revenue sources. In accordance with the Transportation Conformity Rule, regional long range transportation plans (RTPs) for non-attainment and maintenance areas must be fiscally constrained in order to be found in conformity. Fiscal constraint is a demonstration that there will be sufficient funds to implement proposed improvements and to operate and maintain the entire system by comparing costs with available financial resources.

In order to tackle these challenges, the scope identifies four major components. The first component identifies work related directly to the development of the RTP, including technical and policy work associated with development and presentation of options or alternatives to the policy makers to consider towards adoption of the next RTP. The remaining three components entail developing a financial plan for the next RTP, including identification of new revenue sources/financing techniques as appropriate and structuring of a feasible framework for implementing recommended financial strategies. In particular, emphasis will be placed on innovative financing initiatives for the region's goods movement system.

The ultimate work product resulting from this effort is the next RTP that enjoys the general consensus of the stakeholders, meets the system performance goals and objectives set forth by the Regional Council, identifies the necessary funding mechanisms and framework for implementing the transportation improvements, particularly improvements associated with the goods movement system, and last but not the least, meets all the regulatory and statutory requirements including positive conformity findings.

The total proposed budget is \$1,280,000. The available funding for FY 05/06 is \$540,000 with \$740,000 proposed for FY 06/07. The duration of the contract is anticipated to be August 2005 through June 2007.

2. RFP # 06-021 / Compass 2% Strategy Implementation, Integration with Growth Forecasting, & Input to the 2007 RTP Update

The Compass Vision and 2% Strategy have resulted in a new planning framework for southern California's future and a new perspective on how local decision-makers can make planning choices that have tremendous value to both individual communities and the region as a whole. The multi-year, collaborative Compass work program has resulted in numerous work products that have formed the basis for the 2004 Regional Transportation Plan (RTP) Preferred Plan and will continue to change the climate for regional planning and cooperation throughout the SCAG region. SCAG has developed tools and resources to assist cities and counties as they plan for a better future for all southern Californians.

To supplement the Planning and Policy Department Community Development Division work efforts, SCAG is seeking consultant assistance to integrate the inter-related planning efforts to meet the requirements of the 2007 RTP growth forecasting process, including the assistance in the development of the socioeconomic data sets for 2007 RTP/EIR, the continued implementation of the Compass 2% Strategy program and the development and implementation of additional tools and resources for the Compass 2% Strategy. The key components include:

- Compass 2% Strategy refinement, implementation, consensus building and program marketing, including further development of the SCAG subregional program
- Develop partnerships with local governments, developers, non-profits, banking industry, etc. to initiate and complete 25-30 Demonstration Projects throughout the SCAG region
- Develop a web-based interactive data and mapping tool for 5 counties similar to and

REPORT

compatible with the existing LA LOTS program

- Assist SCAG staff in the development of the 2007 Growth Forecast including growth projections without regional policy input and growth projections and growth alternatives with regional policy input

The total proposed budget is \$1,300,000. The available funding for FY 05/06 is \$550,000 with \$750,000 proposed for FY 06/07. The duration of the contract is anticipated to be August 2005 through June 2007.

The actions taken by the Executive Committee would be reported at the September meeting for ratification by the Regional Council

FISCAL IMPACT: The funds for FY 05/06 are in the approved Overall Work Program (OWP).

REPORT

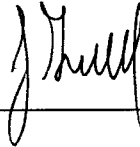
DATE: July 7, 2005

TO: Administrative Committee
Regional Council

FROM: Heather Copp, Chief Financial Officer, (213) 236-1804, copp@scag.ca.gov *hc*

SUBJECT: WRCOG Request for Reimbursement of Indirect Costs

EXECUTIVE DIRECTOR'S APPROVAL:



RECOMMENDED ACTION:

Deny request for reimbursement.

SUMMARY:

In March of 2005, WRCOG submitted invoices in the amount of \$99,947.55 for FY 2001 indirect costs. Included in with the invoice information was a Caltrans approved ICAP for FY 2001. Caltrans approved the ICAP rate of 58.69% on October 13, 2004. This is nearly four years after the close of FY 2001.

In FY 2001, WRCOG billed SCAG for indirect costs. SCAG denied reimbursement for two reasons: 1) WRCOG didn't have an approved ICAP and 2) WRCOG submitted final ICAP related invoices after published deadlines and the fiscal year was closed. WRCOG has been seeking reimbursement for the FY 2001 indirect costs ever since.

OMB A-87 and Generally Accepted Accounting Principles (GAAP) are both applicable on a year to year basis. All direct and indirect overhead costs must be recognized and expensed in the fiscal year the cost benefit is realized. An allowable cost cannot be charged to federal grants in any arbitrary or selectively chosen year, but is only allowable in the year the cost benefit is actually realized.

For these reasons, we are recommending that the request for reimbursement be denied.

BACKGROUND:

In April 2001, the Regional Council (RC) authorized subregions to bill SCAG for their indirect overhead costs under certain conditions. A principal condition was the requirement of an approved cost allocation plan. The RC resolution was consistent with the requirements promulgated by the Office of Management and Budget Circular A-87 (OMB A-87). OMB A-87 requires SCAG and subregions to prepare, submit, and obtain approval of their Indirect Cost Allocation Plan (ICAP). Approval of the ICAP is required before overhead costs can be billed to federal grants in any particular year.

In FY 2001, WRCOG billed SCAG for indirect costs. SCAG denied reimbursement for two reasons: 1) WRCOG didn't have an approved ICAP and 2) WRCOG submitted final ICAP related invoices after published deadlines and the fiscal year was closed. With respect to the lack of an approved ICAP, WRCOG had maintained that they could "self-certify" their ICAP. SCAG staff explained that this is not consistent with either OMB A-87 or Caltrans policy. With respect to the late invoice issue, WRCOG stated they had oral permission from former SCAG staff to turn in these documents late.

REPORT

Since FY 2001, SCAG staff has met several times with WRCOG staff, WRCOG has engaged two legal counsels on this matter, and we have exchanged letters with WRCOG as well. SCAG has consistently maintained that their indirect overhead costs are ineligible because WRCOG did not comply with RC Policy, OMB A-87, and that WRCOG did not comply with SCAG deadlines to submit their FY 2001 invoices.

The following is a brief chronology of events that have occurred over the last four years.

- January 26, 2001: Contract executed, specifies that WRCOG must follow federal and state grant provisions.
- April 24, 2001: Contract amended to provide for the reimbursement of indirects in accordance with all applicable federal and state grant provisions.
- June 18, 2001: SCAG wrote letters to all subregions requiring the subregions to submit invoices for FY 2001 by August 15, 2001.
- July 12, 2001: In a letter to SCAG, WRCOG acknowledged the August 15 deadline.
- **October 16, 2001: WRCOG ICAP plan for FY 2001 was sent to Caltrans, well beyond the August 15, 2001 due date.**
- November 29, 2001: A contract was executed between SCAG and WRCOG again specifying the August 15th deadline for billings.
- **June 6, 2002: SCAG received an overhead billing for FY 2001 for \$144,928.36. The billing was past the August 15, 2001 deadline and Caltrans had still not approved their ICAP so payment was denied.** (The WRCOG claim is now for nearly \$45,000 less than this claim, after WRCOG recalculated their 2001 ICAP in 2005)
- January 30, 2004: WRCOG's attorney sends letter regarding the necessity of FY 2001 ICAP plan.
- March 17, 2004: SCAG's attorney responds with SCAG position on the FY 2001 ICAP plan.
- March 24, 2004: WRCOG's attorney responds to SCAG's March 17, 2004 letter and asks for reimbursement of FY 2001 indirect costs.
- June 18, 2004: SCAG's attorney denies reimbursement request.
- March 15, 2005: SCAG received a letter from WRCOG regarding the submission of outstanding overhead invoices for FY 2001.
- June 15, 2005: SCAG staff meets again with WRCOG administrative and legal representatives. SCAG staff re-iterates its positions with respect to the claim.

REPORT

The WRCOG indirect overhead costs were incurred in FY 2001 and were therefore subject to compliance with RC policy, OMB A-87, and GAAP in that year. Since WRCOG did not comply with the ICAP requirements in FY 2001, their indirect overhead costs are not an allowable cost billable to federal grants in FY 2001. Further, they would not be allowable or billable in FY 2005, nor in any subsequent fiscal year. Caltrans Local Assistance Manual states that "Any completed project with a Final Report of Expenditures will not be eligible for retroactive indirect cost reimbursement." This project was closed in FY 2001 consistent with any other staff funded project.

Please see WRCOG's rebuttal to SCAG's recommendation to deny their indirect costs from FY 2001.

FISCAL IMPACT: HC

Denying the cost reimbursement request would not result in any fiscal impact to SCAG. However, if the Regional Council would consider their request there would be financial impacts to SCAG:

- This request would not be eligible for federal funds; therefore, all reimbursement would have to be made from the General Fund.
- General funds would have to be reprioritized from existing commitments that were approved in the FY 2005/2006 budget. This would have a significant impact on sponsorships, legal costs, etc. as the general fund budget would have to be reduced by 8%.
- A ruling in favor of WRCOG would set a precedent for other subregions with similar claims to come forward and seek reimbursement.

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June 7, 2005

VIA FACSIMILE AND U.S. MAILKaren Tachicki, Chief Counsel
Southern California Association of Governments
818 West Seventh St., 12th Floor
Los Angeles, CA 90017-3435Re: Recovery of Indirect Costs

Dear Ms. Tachiki:

I am writing this letter on behalf of the Western Riverside Council of Governments ("WRCOG"). As you are aware, WRCOG has submitted a request for the reimbursement of indirect costs for the 2000-2001 fiscal year to the Southern California Association of Governments ("SCAG"), totaling \$99,947.55. SCAG indicates that it will recommend denying the request for reimbursement, as SCAG alleges that WRCOG failed to submit a timely Indirect Cost Allocation Plan ("ICAP"), in accordance with the Continuing Cooperative Agreement ("CCA").

In preparation for our meeting next week, I wanted to provide you with my view of the issue. Although prior letters regarding this dispute focused on Office of Management and Budget Circulars and CalTrans Local Assistance Manuals, the solution lies in the CCA. WRCOG insists that it is, and has always been, in compliance with the CCA. The crux of the dispute lies in whether WRCOG was required to submit its ICAP by August 15, 2001. WRCOG believes that it was not.

First, the CCA, which called for retroactive reimbursement of indirect costs, was not in effect when WRCOG submitted both its request for reimbursement and its ICAP. WRCOG submitted its reimbursement requests by the August 15, 2001 deadline. On October 17, 2001, WRCOG submitted its ICAP. The CCA was not executed until November 29, 2001, more than three months after WRCOG submitted its requests for reimbursement and six weeks after WRCOG submitted its ICAP. Therefore, at the time WRCOG submitted its documentation, there was only proposed language regarding reimbursement procedure. However, after the CCA was approved, WRCOG received oral assurances that it had submitted the proper documentation.

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LAW OFFICES OF
BEST BEST & KRIEGER LLP

Karen Tachicki, Chief Counsel
June 7, 2005
Page 2

Second, the construction of the CCA does not support an interpretation that WRCOG was required to submit a CalTrans approved ICAP by August 15, 2001. Section 8 of the agreement relates to the method of payment and progress reporting. Section 8(c) requires that year-end requests for payment are due by August 15th of each fiscal year. This deadline makes no reference to ICAPs. WRCOG submitted its requests by the August 15th deadline.

Section 10 requires the agency to "provide SCAG with a copy of its certified indirect cost plan." The agreement does not clarify what the term "certified" means, nor does it set a timeline for when the plan must be submitted. At no point does the CCA require WRCOG to submit a copy of its CalTrans approved ICAP to SCAG by August 15th.

On October 17, 2001, WRCOG submitted a copy of its ICAP. As such, WRCOG was not in violation of the CCA when it requested reimbursement for indirect costs by August 15, 2001 and submitted a copy of its ICAP at a later date. Further, although it was not required to do so, WRCOG submitted a copy of its CalTrans approved ICAP on March 10, 2005.

Much has been made of a June 18, 2001 letter from SCAG wherein SCAG alleges that it informed WRCOG that it must have all of its paperwork submitted by August 15, 2001. This letter is not evidence of a requirement that WRCOG submit a CalTrans approved ICAP by August 15th. First, the letter does not set a firm deadline. Rather, it states a preference for payment:

Any billing received after August 15, will not be recorded as performed under the Fiscal Year 2000-2001 Budget. Late billings may create a problem in determining where to charge these costs and may result in a significant delay in payment. (emphasis added.)

Additionally, the letter makes no reference to ICAPs; it refers only to billings. Finally, Section 15 of the original agreement between the parties, executed January 26, 2001, provides that any changes to the contract must be mutually agreed to by WRCOG and SCAG and submitted as written amendments to the agreement. The letter from SCAG does not meet these requirements. As such, the letter has no binding effect on either WRCOG or SCAG.

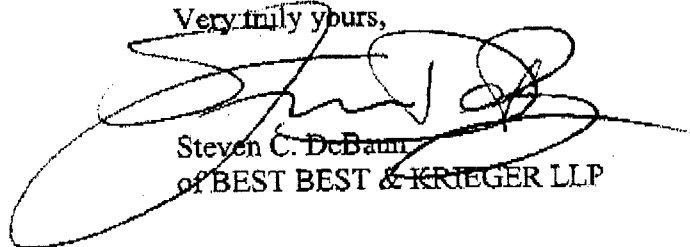
WRCOG has complied with all applicable provisions and is entitled to reimbursement for its indirect costs. WRCOG submitted its billings before August 15, 2001 and submitted an ICAP on October 17, 2001. Moreover, although not required to do so, WRCOG submitted a CalTrans approved ICAP on March 10, 2005. This provides SCAG with all of the documentation it needs to reimburse WRCOG for its indirect costs. As such, WRCOG requests that SCAG approve the reimbursement of indirect costs for the 2000-2001 fiscal year, totaling \$99,947.55. WRCOG is willing to discuss this matter further with SCAG to reach a mutually beneficial resolution.

LAW OFFICES OF
BEST BEST & KRIEGER LLP

Karen Tachicki, Chief Counsel
June 7, 2005
Page 3

I look forward to discussing this issue further with you next week.

Very truly yours,



Steven C. DeBarr
of BEST BEST & KRIEGER LLP

SCD:WAD

cc: Mr. Rick Bishop, Executive Director
Ms. Ruthanne Taylor Berger, Deputy Executive Director
Mr. Scott Higginbotham, Controller


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REPORT

DATE: July 7, 2005

TO: Administrative Committee
Regional Council

FROM: Hasan Ikhata
Zahi Faranesh 

SUBJECT: Shanghai and Japan Maglev Trip in July/August 2005

EXECUTIVE DIRECTOR'S APPROVAL:

RECOMMENDED ACTION:

The Maglev Task Force is recommending that SCAG send a delegation of approximately 15 elected officials to Shanghai, China and Nagoya, Japan for an educational, exploratory Maglev experience in July/August 2005, to be funded by other sources. However, if SCAG is unable to secure funding from other sources, Maglev Task Force leadership would like the Regional Council to recommend that SCAG send approximately 6 elected officials only to Shanghai, China through use of the General Fund.

SUMMARY:

The purpose of this trip is to educate a Southern California delegation on Maglev technology and its application to the SCAG region.

BACKGROUND:

During the June Maglev Task Force meeting, there was a discussion regarding a trip to China and Japan to view and experience Maglev directly. The Maglev Task Force approved funding 15 people to go to Shanghai, China and Nagoya, Japan through General Fund monies if other sources of funding could not be secured. Subsequent to this action, discussion occurred with Maglev Task Force leadership. After reviewing the cost of the trip for 15 people and its potential impact on the general fund and other programs, Task Force leadership determined that it would be prudent to send fewer people and limit travel to Shanghai, China if other funding sources could not be secured.

The trip will take place in July/August 2005 and will be planned for a total of 6 days (approximately 4 days in Shanghai, and 2 days for travel). The estimated cost of the trip is \$3,050 per person, including airfare, hotel and meals. SCAG is seeking funding from other sources; however, due to the short planning horizon for this trip, it may be unlikely that SCAG can secure other funding.

Per leadership recommendation, the following table lists the approximate costs of the trip per person and in total for 6 people. The costs were derived from the Federal Per Diem rates published for Shanghai, China.

Item	Cost
Airfare/ person	\$1,500
Hotel/ person	\$800
Food/ person	\$750
Total/ person	\$3,050
Per/ Person x 6	\$18,300

REPORT


FISCAL IMPACT: *tc*

At this time, all anticipated revenues have been programmed in the general fund for FY 2005/2006. Funding all or a portion of this trip would require reprogramming of previously approved commitments in the general fund. This trip is not eligible for Federal FRA grant reimbursement.

REPORT

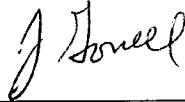
DATE: June 17, 2005

TO: Administration Committee
Regional Council

FROM: Karen Tachiki, Chief Counsel 
Arnold San Miguel, Senior Government Affairs Analyst

SUBJECT: Proposed Memorandum of Understanding Between the Reservation
Transportation Authority and SCAG

EXECUTIVE DIRECTOR'S APPROVAL:



RECOMMENDED ACTION:

Authorize the Executive Director to execute a Memorandum of Understanding with the Reservation Transportation Authority consistent with the terms and conditions outlined in this report.

BACKGROUND:

The Reservation Transportation Authority (RTA), a consortium of Southern California Indian Tribal Governments, obtained through the San Diego Association of Governments (SANDAG) a grant which requires that the RTA enter into a Memorandum of Understanding with SCAG to, amongst other matters, develop educational materials which will assist in promoting transportation coordination between the RTA and SCAG.

Staff and representatives of the RTA have been working to develop a simple, concise MOU which will fulfill the requirements of the grant. Some of the tasks which are required potentially overlap with the on-going discussions regarding Native American participation in SCAG; as a consequence, staff has informed the participants in those separate discussions of the proposed MOU.

Included in the required tasks are that the RTA develop educational materials regarding the Tribal governments in the SCAG region and also develop educational materials regarding SCAG. SCAG would have the opportunity to comment on the materials as they are developed. These materials would then be shared and used as a basis for furthering coordination and cooperation on regional transportation issues. SCAG would provide opportunities for the RTA to make presentations to the Regional Council and other policy committees or Task Forces as appropriate. The SCAG staff would meet with the RTA on a regular schedule to discuss transportation planning issues. RTA would organize a Tribal Summit at a place and time mutually convenient. RTA and SCAG would each bear their own costs.

The MOU would terminate on June 30, 2006.

FISCAL IMPACT:



None. Implementation of the MOU would be a part of SCAG's on-going requirements to consult with Native American interests.

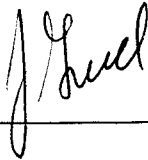
REPORT

DATE: July 7, 2005

TO: Regional Council
Community, Economic and Human Development Committee
Energy and Environment Committee

FROM: Jacob Lieb, Acting Lead Regional Planner, (213) 236-1921, lieb@scag.ca.gov
Ashwani Vasishth, Associate Regional Planner, (213) 236-1908, vasishth@scag.ca.gov

SUBJECT: 2% Strategy Implementation Through California Environmental Quality Act (CEQA)
Streamlining

EXECUTIVE DIRECTOR'S APPROVAL: 

RECOMMENDED ACTION:

Proceed to implement recommendations in Compass program.

SUMMARY

Among the recommendations in the Compass Growth Vision/2% Strategy is that the California Environmental Quality Act (CEQA) should be streamlined for the purpose of facilitating key, strategic development envisioned by the region. Current discussions at the State level on potential reforms to CEQA present SCAG with an opportunity to pursue this portion of 2% Strategy implementation. This report describes, for the Committee's consideration, SCAG's objectives for any potential CEQA streamlining legislation, and the various options that are currently under consideration.

BACKGROUND:

The California Resources Agency has initiated a series of statewide discussions on potential reforms to CEQA. Mark Pisano, SCAG Executive Director, is a member of the CEQA Improvement Advisory Group formed by the Resource Agency for this purpose. Karen Tachiki, SCAG Counsel, is a member of the associated Technical Committee. The administration's purpose in pursuing this issue is to address the State's chronic housing supply shortage, and to make best use of planning and mitigation resources.

In participating in these discussions, SCAG staff has identified several ways in which the organization's ongoing planning and implementation objectives might be enhanced. Pending approval from the Regional Council, SCAG staff would seek and support legislation based on the principles described here.

CEQA Principles; CEQA streamlining should:

- Ease the development of housing in appropriate, strategic locations (e.g. urban in-fill and transit oriented).
- Pursue environmental outcomes that are preferable to current conditions or "no-plan" future scenarios.
- Ensure that CEQA is used as intended rather than abused in order to stop/delay good projects.
- Promote regional planning.
- Address a number of environmental impacts at the regional, rather than project, scale.

- Allow regional plans meeting specified criteria to reduce required subsequent documentation for consistent projects.
- Create an incentive for local governments to pursue land use planning that is supportive of regional plans.
- Seek legislation that can be enacted and implemented this year based on regional planning work that is already in place (Compass, 2004 RTP and EIR, Subsequent 2% Strategy Products). Such legislation would streamline CEQA procedures for housing projects only.
- Seek legislation that can be enacted and implemented in 2-5 years based on improvements to regional planning (e.g. Regional Comprehensive Plan and EIR). Such legislation would streamline CEQA procedures for a wider range of projects.

Provisions of Current Proposals/Alternatives

There have been various proposals discussed as part of the statewide review. All of these proposals rest on the basic premise that growth and development planning work done by a region might allow for a reduction in environmental documentation for projects consistent with the regional plan. The variation in proposals, therefore, centers around, a) the requirements on a regional growth plan in order to qualify for streamlining, and b) the type of relief from standard CEQA procedures that would be available.

Short and Long Term Proposals

The statewide discussions have proceeded on the assumption that a short term program, based on regional planning work that is already done, can be implemented immediately. This short term approach would allow streamlining for housing and mixed use projects only. A longer term, more comprehensive, approach would require regions to prepare further planning work that identifies specific plan outcomes across the full range of environmental resource categories and creates a basic regional mitigation structure. SCAG envisions fulfilling these requirements through the on-going Regional Comprehensive Plan effort.

The discussion that follows pertains solely to the shorter term effort, as requirements for the longer term program have not been fully discussed to date.

Qualifying Regional Growth Plan

Currently, there is broad agreement about the basic elements of a regional growth plan that would qualify for CEQA streamlining for the shorter term program. The attached document lists the requirements proposed by the State Resources Agency for inclusion in legislation, along with notation on how SCAG planning work already in place would qualify Southern California to participate.

CEQA Relief for Projects

Discussion on exactly what type of relief will be given to projects which are consistent with the regional plan could take either of two forms. SCAG staff has proposed that qualified projects should be able to prepare focused, limited environmental documentation, rather than a full-scale Environmental Impact Report. Alternatively, an expanded exemption from CEQA, similar to the

exemption in current law for in-fill housing projects, may be considered. The exemption option would likely be conditioned on a number planning and regulatory actions at the local level, such as a standard mitigation fee program being in place.

Applicable SCAG Planning Work In Place

As described in the attachment, SCAG has either completed, or will shortly have completed, the elements required for “regional growth plan” as envisioned by current proposals. That work includes:

- Adopted 2004 Regional Transportation Plan (especially the growth distribution)
- Adopted 2004 Regional Transportation Plan Program Environmental Impact Report
- Compass Growth Vision
- Subsequent 2% Strategy Implementation Tools and Planning Products – includes maps of 2% preferred growth areas, as well as characteristics of desired development (building types, densities, parking requirements, floor areas ratios, etc.)

FISCAL IMPACT:

Work related to this item is included in the FY 2005-2006 Overall Work Program for Growth Visioning (05-050). Legal and legislative work is budgeted in the indirect budget and general fund.

Attachment: Criteria for “Regional Growth Plan” annotated for SCAG work in-place

Linking SCAG's Regional Plans to Implementation of the Compass Growth Vision Strategy for Outcome-Oriented Urban Infill Development

Analysis of Proposed CEQA Track 1 Legislative Language: Defining a Regional Growth Plan

	Proposed Section 21159.28 (f) - A Regional Growth Plan shall:	SCAG's Response:
1	Identify the geographic location of specific areas that are appropriate for urban housing projects in existing urban areas	Land use analysis in the 2004 RTP and its PEIR analyses and supports development in strategic locations including town centers, transportation corridors, and urban in-fill locations; Subsequent Compass 2% maps delineating preferred growth areas are consistent with the RTP. ¹
2	Provide standards for the design and location of housing	Proximity to transportation infrastructure , mixed land use, higher density development in strategic locations are specified in RTP and associated PEIR. Design analysis, FAR, parking and other are being developed as part of subsequent work effort specified in PEIR mitigation plan, and are intended to be supportive of community design guidelines. ²
3	Identify specific mitigation measures recommended for individual projects to address regional environmental issues	PEIR Mitigation Measures are suitable for regional-level analysis ³
4	Have been adopted after the preparation and certification of an EIR that has evaluated direct, cumulative and regional impacts, identifies and adopts mitigation measures or alternatives that, where feasible, reduce or avoid significant environmental impacts	The land use analysis for the 2004 RTP PEIR did consider infill-oriented development in its growth alternatives analysis ¹

¹ 2004 RTP. <http://www.scag.ca.gov/rtp2004/2004draft/FinalPlan.htm>. See pages 94-96, *Thinking Out of the Box: Land Use-Transportation Connection*; pages 108-110, *Land Use-Transit Coordination*; pages 186-189, *Integrating the Growth Vision Strategy*. Also see 2004 Compass Growth Vision Report, pages 29-32, *Coordinating Land Use with the Regional Transportation Plan*.

² 2004 Compass Growth Vision Report.. <http://www.socalcompass.org/about/report/index.html>. See page 49, *Development Patterns Make the Difference*, and pages 56-62, *Implementation Tools by Principle*.

³ 2004 RTP PEIR. <http://www.scag.ca.gov/rtpPEIR2004/draft/2004/>. See pages 3-1 through 3.13-22, *Environmental Setting, Impacts, and Mitigation Measures*.

5	Consult with all of the regional water quality control boards, air pollution control districts, air quality management districts and councils of government	All these agencies with jurisdiction in the six-county SCAG region were consulted with extensively. SCAG has very well-developed and time-tested interagency consultation processes already in place ⁴
6	Finds, in writing: that it promotes the general welfare of the region; that it encourages higher density infill housing development and discourages lower density housing development, and reduces air pollution and traffic congestion when compared to other alternative forms of development	RC adopted finding and mitigation plan for EIR, which has been incorporated into subsequent analysis and tool development
7	Provides a written copy of the notice of determination	Filed with the State Clearinghouse on April 5, 2004

⁴ 2004 RTP. <http://www.scag.ca.gov/rtp2004/2004draft/FinalPlan.htm>. See pages 30-33. Also see 2004 Compass Growth Vision Report, pages 21-28.


REPORT

DATE: July 7, 2005

TO: Energy and Environment Committee
Regional Council

FROM: Daniel E. Griset, Senior Regional Planner, (213) 236-1895, griset@scag.ca.gov

SUBJECT: Policy Guidance for Implementation of the 2005 California Water Plan

EXECUTIVE DIRECTOR'S APPROVAL: 

RECOMMENDATION:

Approve Resolution 05-465-1 in support of the Draft 2005 California Water Plan.

BACKGROUND:

In recent years the State Department of Water Resources has periodically issued an updated version of Bulletin 160, a document that is now called the 2005 California Water Plan. After an extensive time of preparation, this Plan has been updated in draft form and has been released for public comment. The current draft Plan proposes a roadmap for meeting the state's 2030 water demands with two key initiatives: the use of *integrated regional water management* and *the improvement and maintenance of current state water management systems*. These proposed initiatives draw heavily on water use efficiency, water quality protection and environmental stewardship.

Integrated Regional Water Management (IRWM)

The Plan urges the formation of regional partnerships, the development of integrated regional water management plans and the diversification of regional water portfolios. This regional strategy is intended to "ensure sustainable water resource use, better water quality, environmental stewardship, efficient urban development, protection of agriculture, and a strong economy". This integrated regional path would include plans to reduce water demand, improve operational efficiency and transfers, increase water supply, improve water quality and practice resource stewardship.

The IRWM initiative has been developed with the following principles:

- Use a broad, long-term perspective
- Identify broad benefits, costs, and tradeoffs
- Promote sustainable resource management

- Increase regional self-sufficiency
- Increase regional drought preparedness
- Use open forums that include all communities
- Promote coordination and collaboration among local agencies and governments
- Use sound science, best data, and local knowledge

The Maintenance and Improvement of Current Statewide Water Management Systems

This initiative is intended to create more reliable water supplies, improve drought and flood management and sustain the Sacramento-San Joaquin Delta. The complex water supply system in California is aging and needs timely maintenance and rehabilitation: the State Water Project is over 30 years old; the federal Central Valley Project is over 50 years old. In various locales, other parts of the system are over 100 years old.

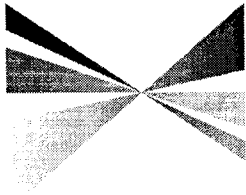
Facilities are the key to improved water management in California. Statewide there are more than 1,200 reservoirs, as well as canals, treatment plants and levees, each managed by federal, state or local authorities. "Systems are often interconnected. The operation of one system can depend on the smooth operation of another. The successful operation of the complete system can be vulnerable if any parts fail."

Of greatest importance are those facilities that supply drinking water, sewage treatment, water delivery and flood control.

The CalFed Bay-Delta Program has been successful in bringing various interests together to develop comprehensive plans for restoring ecological conditions and levee integrity in the Delta, as well as improving water supply reliability and quality for water users around the state. The Plan urges implementation of the CalFed Program, though there is now considerable debate about what the actual level of funding may be for implementing the Program. As this issue of funding is resolved there will be related priorities set for implementation. The allocation of costs for the Program will certainly shape its future prospects and direction.

The improvement of flood management is highlighted in the Plan, especially as it relates to deteriorating flood control facilities in the Central Valley. With the combined effects of growth in housing and industry and the decline in funding for maintenance and rehabilitation of these facilities, new strategies are recommended: improved maintenance, system rehabilitation, better emergency response, sustainable funding for management of programs, better flood mapping and public education. The Plan urges the integration of these efforts with ecosystem restoration, farmland protection and other multi-benefit management of floodplains.

FISCAL IMPACT: All work related to the recommended staff action is contained within the adopted FY 04/05 budget under 05-320 and within the FY 05/06 budget under 06-075. *th*


**ASSOCIATION OF
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Buenaventura • Toni Young, Port Hueneme

Orange County Transportation Authority: Lou
Correa, County of Orange

Riverside County Transportation Commission:
Robin Lowe, Hemet

Ventura County Transportation Commission:
Keith Millhouse, Moorpark

559-5124/05

RESOLUTION No. 05-465-1

**A RESOLUTION OF
THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS
IN SUPPORT OF
THE DRAFT 2005 CALIFORNIA WATER PLAN**

WHEREAS, the following policy recommendations have been proposed in the 2005 Draft California Water Plan, otherwise known as Bulletin 160:

1. California needs to invest in reliable, high quality, sustainable, and affordable water conservation, efficient water management, and development of water supplies to protect public health, and to maintain and improve California's economy, environment and standard of living.
2. State government must provide incentives and assist regional and local agencies and government and private utilities to prepare integrated resources and drought contingency plans on a watershed basis; to diversify their regional resource management strategies; and to empower them to implement their plans.
3. State government must lead an effort with local agencies and governments to inventory, evaluate, and propose management strategies to remediate the causes and effects of contaminants on surface and groundwater quality.
4. California needs to rehabilitate and maintain its aging water infrastructure, especially drinking water and sewage treatment facilities, operated by State, federal and local entities.
5. State government must continue to provide leadership for the CALFED Bay-Delta Program to ensure continued and balanced progress on greater water supply reliability, water quality, ecosystem restoration and levee system integrity.
6. State government needs to take the lead in water planning and management activities that: (a) regions cannot accomplish on their own, (b) the State can do more efficiently, (c) involve inter-regional, inter-state, or international issues, or (d) have broad public benefits.
7. California need to define and articulate the respective roles, authorities, and responsibilities of State, federal and local agencies and governments responsible for water.
8. California needs to develop broad and realistic funding strategies that define the role of public investments for water and other water-related resource needs over the next quarter century.
9. State government should invest in research and development to help local agencies and governments implement promising water technologies more cost effectively.
10. Sate government should help predict and prepare for the effects of global climate change on our water resources and water management systems.
11. The Department of Water Resources (DWR) and other State agencies should improve data, analytical tools, and information management needed to prepare, evaluate and implement regional integrated rsource plans and programs in cooperation with other federal, tribal, local and research entities.

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12. DWR and other State agencies should explicitly consider public trust values in the planning and allocation of water resources and protect public trust uses whenever feasible.
13. DWR and other State agencies should invite, encourage, and assist tribal government representatives to participate in statewide, regional and local water planning processes and to access State funding for water projects.
14. DWR and other State agencies should encourage and assist representatives from disadvantaged communities and vulnerable populations, and the local agencies and private utilities serving them, to participate in statewide, regional and local water planning processes and to get equal access to State funding for water projects.

NOW, THEREFORE, BE IT RESOLVED by the Regional Council of the Southern California Association of Governments (SCAG) that SCAG does hereby support these policy recommendations and urges federal, state and other public entities to cooperate in funding and implementing the 2005 California Water Plan;

BE IT FURTHER RESOLVED that SCAG supports the use of regional water initiatives for creating new local water resources and increasing needed water reliability within the watersheds of southern California.

APPROVED AND ADOPTED by the [vote] of the Regional Council of the Southern California Association of Governments at a regular meeting on this 7th day of July, 2005.

Toni Young
President, SCAG
Councilmember, City of Port Hueneme

Mark Pisano
Executive Director, SCAG

Karen Tachiki
Chief Legal Counsel, SCAG

MEMO

DATE: July 7, 2005

TO: Administration Committee
Regional Council

FROM: Debbie Dillon, Human Resources Manager, 213.236.1870, dillon@scag.ca.gov

SUBJECT: Merit Pay Program Status Report

EXECUTIVE DIRECTOR'S APPROVAL:

SUMMARY:

On June 7, 2001, the Regional Council approved recommendations contained in the Compensation study conducted by Personnel Concepts, Inc. One component of that study was the recommendation to implement the Pay for Performance Program. The parameters of that study have been the basis for SCAG's performance evaluation process and compensation planning over the course of the last two-plus years.

Policy direction from the Regional Council in 2001 included applying the Pay for Performance Program to all employees in the senior level positions and above. This includes executive management, managers, supervisors, leads, and seniors. All other employees were to stay on the current compensation system until a later date.

SCAG staff receives compensation adjustments only through the Merit Pay Program. The percentage increases per rating category, as approved by the Regional Council in 2001, are as follows:

Evaluation Rating	Percentage Adjustment
Excels	7-9%
Above Standards	4-6%
Meets Standards	1-3%
Needs Improvement or Unsatisfactory	0

SCAG staff does not receive cost of living adjustments and they do not receive step increases. The salary ranges may be adjusted annually if they are determined by a salary survey to no longer be at the Regional Council approved level of the 75th percentile. A salary survey is conducted annually to determine if adjustments are necessary. Any suggested changes to the ranges are provided to this committee prior to implementation.

BACKGROUND:

To assist in the implementation of the Pay for Performance Program, a new performance evaluation process was implemented during fiscal year 2002/2003.

In November 2003 the Personnel Committee received a report on the status of the program and information that staff would expect to be recommending extension of the program to the rest of the staff in June 2004.

MEMO

In April 2004 the Personnel Committee received a status report and a staff recommendation to extend the Pay for Performance program to all employees for a two-year pilot period. The Personnel Committee provided input and concurred with staff's recommendation and recommended to the Administration Committee and the Regional Council to extend the two-year pilot program to all staff in July 2004.

In May 2004 the Administration Committee and the Regional Council received a status report and a staff recommendation to rename the program Merit Pay based on the input from this Committee and to extend the program to all employees effective July 1, 2004. The Regional Council approved the Merit Pay two-year pilot program and requested six month status updates.

In July 2004 all employees were evaluated and compensated under the Merit Pay pilot program.

In October 2004 and June 2005 a status report on the program was provided to the Personnel Committee.

ANNUAL PERFORMANCE EVALUATION PROCESS

- Development and use of a new, common evaluation format for all staff
- Clear definition of criteria and rating scale
- Linkage of the process to annual work plan, budget, and fiscal year
- Training in group setting to all Directors, Managers, and Supervisors
- Mentoring and coaching throughout process
- Self-evaluation and performance agreement required from each employee
- Issued all evaluations in specified timeframe after careful review by Executive Management and Human Resources
- All employees, except probationary, were moved to a July 1 evaluation date from an anniversary date format in 2003
- Mid-year evaluations were completed for all employees in February/March of 2004
- All employees received Merit Pay Program evaluations and compensation in July 2004
- Mid-year evaluations were completed for employees in February/March 2005
- All employees will be evaluated in July 2005 for fiscal 2004/2005 with merit pay compensation adjustments in July 2005

EVALUATION RATING STATISTICS FOR THE LAST 2.5 YEARS

The evaluation rating breakdown and applicable salary adjustment is listed below. In July 2003, employees below senior level were eligible for 3% only. In July 2004, all employees became eligible for the Merit Pay program. In both years, employees who are at the top of the salary range received a lump sum equivalent to the percentage that was over the top salary range. Historically, these lump sum payments have not been counted by CalPERS as part of an employee's eligible compensation. However, the Regional Council approved counting them towards CalPERS prospectively at the June 2005 meeting subject to CalPERS written approval.

MEMO

EVALUATION RATING STATISTICS FOR THE LAST 2.5 YEARS

Evaluation Rating Scale	July 2003 Ratings	July 2003 % Salary Adjustment*	03/04 Mid-Year Ratings	July 2004 Ratings	July 2004 % Salary Adjustment	04/05 Mid-Year Ratings
Excels	17 or 17%	8%	10 or 10%	13 or 13%	7%	5 or 5%
Above	23 or 22%	5%	25 or 25%	31 or 31%	5%	19 or 20%
Meets Standard	59 or 57%	3%	64 or 63%	51 or 51%	3%	65 or 68%
Needs Improvement	4 or 4%	0	3 or 3%	6 or 6%	0	5 or 5%
Unsatisfactory	0	0	0	0	0	0
TOTAL**	103		102	101		95

* Employees below Senior Level received 3%; all-other employees eligible for more than 3%.

** Excludes Probationary Employees

Average overall salary increase for fiscal years 2002/2003 and 2004/2005 were 3.64% and 4.3%, respectively.

CONCLUSION

We are on target for a third year evaluation process and the second year of applying the Merit Pay compensation adjustments to all employees. The rating distribution is a good indicator of the performance of the organization as a whole. We determined the success of the program based on the rating statistics, the content of the written evaluations and the effectiveness of performance management on improving staff performance.

It has been a valuable process for seeking input. We will continue to seek feedback from all levels of the workforce and make refinements to the program as we progress. We will continue to seek feedback in August 2005 to make adjustments or changes to the rating factors, criteria, process and forms. Performance evaluation and performance management training was provided in November 2004 and May 2005 for all supervisory and management employees. It will continue to be provided in the future. The annual review cycle will be completed by July 15, 2005. We have seen improvement in performance expectations and performance management with the refinement of the program. We will continue to refine the rating criteria, the linkage of the rating criteria to SCAG's business objectives and the process itself.

MEMO

DATE: July 7, 2005

TO: Administration Committee
Regional Council

FROM: Debbie Dillon, Human Resources Manager, 213.236.1870, dillon@scag.ca.gov

SUBJECT: Classification/Compensation Plan Status Report

EXECUTIVE DIRECTOR'S APPROVAL:

BACKGROUND:

At the March Administration Committee meeting a Regional Council member requested that the Personnel Committee review the classification/compensation system work plan. The Personnel Committee received this status report at their May 19, 2005 meeting. This report provides a status report on the classification/compensation plan from 2000 to the present.

The SCAG Best Practices Study recommended a comprehensive classification and salary study be conducted. A consultant, Personnel Concepts, Inc., was retained in 2000 to complete a comprehensive study. The Regional Council approved the study and the recommendations contained therein in August 2001.

Both the Best Practices Study and the Personnel Concepts, Inc. study further recommended that the Human Resources office conduct incremental classification reviews of all agency classes so that all classes are reviewed and evaluated at least once every five years. Additionally, both studies recommended that the Human Resources staff conduct a comparative salary survey annually or bi-annually with comparable organizations within SCAG's labor market and present the survey to management and make recommendations for adjustments as appropriate.

The Personnel Committee provided subsequent direction that there be no classification studies performed in the first two years following the implementation of the Personnel Concepts, Inc. study.

Progress on the classification and compensation work has been reported to the Personnel Committee during the last two years.

CLASSIFICATION/COMPENSATION WORK PLAN UPDATE

Classification studies completed since August 2003:

109 budgeted positions FY 04/05

- 22 positions studied
 - 0 reclassified downwards
 - 14 no change
 - 8 reclassified upwards

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MEMO

- 27 positions in progress
 - August 2005 targeted completion - 50% complete
- 49/109 completed or 45% of total
- 60/109 position remaining with planned completion by June 30, 2006

Annual compensation review of benchmark classes:

A comparative salary survey has been conducted annually since the implementation of the study to maintain its competitiveness as outlined in the 2001 study. The adoption of the study included a compensation guideline to maintain SCAG's salary ranges at the 75th percentile of its comparable marketplace.

Salary Surveys Conducted since 2001:

- December 2002
 - January 2003 top of salary range table adjusted by 2.6% for CPI
 - Approved by Personnel Committee in January 2003
- December 2003
 - No changes recommended
 - SCAG salary ranges at or above 75th percentile
- December 2004
 - Three salary ranges recommended for change effective July 1, 2005:

Executive Assistant to the Regional Council	+2.6% top of range
Operations Technician	+6.2% top of range
Sr. Administrative Assistant	+4.8% top of range

The three salary ranges recommended for change above were approved at the June 2005 Regional Council meeting.

In order to complete the work as outlined in Best Practices and the Personnel Concepts, Inc. study a temporary employee with substantial expertise in classification and compensation work was hired in August 2004. Additionally, a full-time regular Human Resources Analyst position is budgeted for the 2005/2006 fiscal year to continue this work. The recruitment process is completed and an analyst started work on July 5, 2006.

CONCLUSION

We are in process of fulfilling the Best Practices recommended five-year timeline for complete review of all positions. We plan to complete the review of the entire organization by June 30, 2006. We plan to report progress to the Personnel Committee on a go-forward basis.